

HISTORY OF  
THE  
COUNCIL  
OF  
TRENT

JEDIN

A  
HISTORY  
OF  
THE  
COUNCIL  
OF  
TRENT

HUBERT JEDIN

*Translated by*  
DOM ERNEST GRAF O.S.B.

NELSON

HUBERT JEDIN

★

# A History of the Council of Trent

*Translated from the German*

*by*

DOM ERNEST GRAF O.S.B.

★

VOLUME I

The Struggle for the Council

Thomas Nelson and Sons Ltd

London Edinburgh Paris Melbourne Toronto and New York



*Imprimatur:*  
✠ GORDON J. GRAY  
*Archbishop of St Andrews  
and Edinburgh*

This is the authorised translation of  
Hubert Jedin  
Geschichte des Konzils von Trient, Band I  
Verlag Herder  
Freiburg im Breisgau  
1949

THOMAS NELSON AND SONS LTD  
Parkside Works Edinburgh 9  
36 Park Street London W1  
117 Latrobe Street Melbourne C1

THOMAS NELSON AND SONS (AFRICA) (Pty) LTD  
P.O. Box 9881 Johannesburg

THOMAS NELSON AND SONS (CANADA) LTD  
91-93 Wellington Street West Toronto 1

THOMAS NELSON AND SONS  
18 East 41st Street New York 17, N.Y.

SOCIÉTÉ FRANÇAISE D'ÉDITIONS NELSON  
97 rue Monge Paris 5

## Translator's Preface

THE author's preface explains the nature and genesis of the present work. However, some explanation by the translator, and even an apology, may be in order—an apology, that is, for the use of certain terms that may hurt a sensitive ear, but which are inescapable if the reader is to be spared lengthy and awkward circumlocutions. The expression “conciliar theory” is generally accepted. It stands for the view that the authority of a General Council is superior to that of the Pope, so that its decisions have force of law even without the latter's approval. The Germans describe this opinion—an utterly wrong one—as “conciliarism” and also use the adjective “conciliarist”.

I also use the terms “evangelicalism” and “evangelistic”; they simply designate the Lutheran or Protestant movement on the Continent.

The author, whose reading is immense, not unnaturally quotes a vast number of German writers. The works of some of these have been translated into English, for instance Pastor's voluminous history of the Popes. In these instances I have endeavoured to quote the equivalent English translation. However, in the case of Pastor, the author of this *History of the Council of Trent* quotes from the more recent editions, e.g. those of 1924 and 1926, whereas the English translation of the earlier volumes was made from the first or the second edition. So in a few instances, only the references to the German text can be given. In a few other cases the reference to the English translation is only approximate, for the reason just stated. If, therefore, in a very few instances, the reference to the English translation is not accurate, or not quite accurate, I may plead that it is due to the fact that the earlier German volumes have been retouched and enlarged so that the cross-references, when they were possible, may not be completely reliable. If English translations of French, Italian and Spanish books quoted by Jedin are not given, the reason is that very few of them seem to have been translated. In the case of *Seripando*, in which the German original is in three volumes, the English translator has made some drastic cuts, especially in the very numerous, often lengthy footnotes. I have also failed to identify some references to Ranke. For such omissions I must crave the reader's indulgence.

E. G.





# Contents

Author's Preface	I-3
Book One	
<i>Council and Reform from the Council of Basle to the Lateran Council</i>	
I Victory of the Papacy over the Reform Councils	5-31
<i>Reformatio capituli</i> in Durant the Younger 8-9—Marsiglio, Ockham and the conciliar theory 10-11— <i>Reformatio capituli</i> in Gallicanism and Matthew of Cracow 12—Dietrich von Niem and the Council of Constance 13—Martin V and the Council of Basle 14-16—Victory of the Papacy and the State 17-21—Nicholas of Cusa 22—Conciliaristic literature and its after-effects 23-6—The papal restoration and Torquemada 27-9—The shadow of the Renaissance 30	
II Survival of Conciliar Theory	32-61
The University of Paris 33—Universities of Germany 34, Cracow and Vienna 38, Italy 39, Spain 41-2—The Carthusians' demand for a Council of Reform 43—The anonymous writer of Kremsmünster 45—Failure of Emperor and Estates 44-9—George Podiebrad's plans for a Council 50-2—The period of Maximilian I 52—Isolated movements in Spain and France 53—Louis XI's threats of a Council 54-8—Appeals to the Council by Venice and Naples 59-60—Two results 61	
III The Papal Reaction	62-75
Nicholas V and Pius II 62-4—Prohibition of the Appeal to the Council 65-7—Congress of Princes and Roman Council 69-71—Paul II and Sixtus IV 72-4—Renewed demand for a Council after Alexander VI 75	
IV Tensions within the Restored Papacy	76-100
The Cardinals' share in government 76-8—The College of Cardinals by right divine 78-82—Struggle over new creations 83—Domenichi's memorial for Calixtus III and Pius II 84-6—Victory remains with absolutism: Sixtus IV 87-8—Julius II and the Cardinals' opposition 89—Reform and Council in election capitulations 90-1—Convocation of the Council in an emergency 92-4—The canonists' conception of a state of emergency 95—Domenico Jacobazzi 97-100	
V Failure of the Conciliar Attempts of Basle (1482) and Pisa (1511)	101-116
Zamometi's convocation 101-03—Why he failed 104-06—Louis XII and the opposition Cardinals 107—Arguments for the convocation of Pisa 108-10—Fate of that <i>conciliabulum</i> 111-14—Publicity 115— <i>Julius exclusus</i> 116	

## CONTENTS

VI The Papacy and Church Reform: the Fifth Council of the Lateran	117-138
Papal reform: Martin V 117-19—Reform plans of Capranica and Domenichi 120-2—Nicholas of Cusa and Pius II 123-5—The reform Bulls of Sixtus IV and Alexander VI 126—Reform programme of Giustiniani and Quirini 127-9—Reform decrees of the Fifth Lateran Council 130-2—Alarm in Spain 133—Attack on the privileges of the Mendicants 135—Leo X's great mistake 137	
VII The Spontaneous Reform of the Members	139-165
Reform of the religious Orders 139-42—The Carthusians 143— <i>Devotio moderna</i> and the Oratory of Divine Love 145-6—Secular and regular clergy 147-9—Reforming bishops in Germany 150-1—Princely reforms 152-5—Erasmus' ideal education 156-7—The Bible and the Fathers but no scholasticism 159—"The Philosophy of Christ" 160—Humanism and Catholic reform 161-5	

## Book Two

*Why so late? The antecedents of the Council of Trent 1517-1545*

I Luther's "Reform" and Council	166-196
The new doctrine of salvation and the new conception of the Church 166-8—Indulgences and Roman process 169-72—First appeal to the Council 172, Second appeal 176—Inadequate publication of the Bull <i>Exsurge</i> 177-9—Public opinion in favour of Luther 180—The "Letter to the Nobility" as a conciliar programme 180-4—Luther and the authority of the Council 185-6—Disguising the divergences 187-90—Need of a Council in order to clarify the situation 191—Objections 193-5—Ill effects of delay 196	
II "A Free Christian Council in German Lands"	197-219
Aleander and the question of the Council at Worms 197-200—Luther's conditions impossible 201-03— <i>Gravamina</i> but no demand for Council 204-08—Adrian VI and the Council 209-10—Campeggio at the second Diet of Nuremberg (1524) 211—Plan for a national Council at Speyer 211-15—No Council, whether general or national 216-17	
III War—No Council	220-244
Character of Clement VII 220-3—Charles V 224-6—Gattinara's influence 227—Francis I 228-9—Clement VII between the two rivals 230—A reform convention in Rome as a substitute for a Council 232-3—The Emperor's threat of a Council in 1526 234-7—Cardinal Colonna's appeal to the Council 238—Wolsey crosses the Emperor's plans for a Council 239-41—The Bologna decision 243—The Pope's conditional assent 244	
IV Augsburg and the Emperor's Proposal for a Council (1530)	245-267
The Council and the Diets of Speyer 247—The Estates insist 248-50—The Emperor's programme 251-6—Melanchthon favourable 257—Negotiations for reunion broken off 259, 261—Failure of the <i>modus vivendi</i> 261-2—Reception of the imperial proposal in Rome 263-5—A reluctant assent 266	

## CONTENTS

V	Fruitless Negotiations (1531-1534)	268-287
	Gambara's conditions 268-70—France's dilatory tactics 272—Concessions—no Council 273-4—Aleander at the Diet of Ratisbon (1532) 276—Demand for a Council—Meeting at Bologna 277-80—Rangoni's mission in Germany 281-2—The encounter of Marseilles: the Council put off 283—Public reaction 285-7	
VI	Paul III and the Convocation of a Council at Mantua	288-312
	Paul III and the Council 288—The Council announced by the nuncios 290-2—Vergerio in S. Germany 293-6—He is well received in western Germany 297, but Schmalkalden declines abruptly 298—Francis I against an "imperial" Council 300-02—Henry VIII the chief opponent 303— <i>Rapprochement</i> between the three opponents of the Council 305-07—Differences between Pope and Emperor 308—Charles V in Rome 309—The Bull of Convocation 310-12	
VII	The Miscarriage of Mantua and Vicenza	313-354
	Publication of the Bull of Convocation in western and eastern Europe 313-15—Van der Vorst in Germany 316-18—Schmalkalden's reply 319-21—End of van der Vorst's journey 322—Failure in France 323-5—Conditions of the Duke of Mantua 326—Prorogation but no abandonment 327-30—Convocation to Vicenza 331—Impression in Germany 334-5—Preparations at Vicenza 336—A fresh prorogation 338-9—Poor prospects in spite of the armistice of Nice 342-4—Indefinite suspension 345—Doubts about the Pope's intentions 346—Risks of a Council 347-8—Fear of the Emperor's power 351—No proceedings against Henry VIII 352-4	
VIII	The Dream of an Understanding and the Reality of the Differences	355-409
	Motives of the policy of reunion 355-7—Erasmus' <i>Concordia</i> 358-60—Witzel and the religious discussion of Leipzig (1539) 361-3—Evangelism—its literature 364-9—The Respite of Frankfurt (1539) 370-1—Fabri, Cochlaeus and Nausea against compromise 372-3—The <i>colloquium</i> of Worms 374-7—Contarini at Ratisbon 378-81—Compromise on concept of justification 382-3—Rupture on Eucharistic teaching 384—Contarini's mission in the light of Trent 385-91—Task of controversial theology 392-4—The four "evangelists" 395-7—Role of the Mendicants and the Latin nations 398-9—Manuals of controversy 400-05—Louvain Theses 406—General appraisal 407	
IX	Reform without a Council	410-445
	Fiscal policy of officials 410-15—Its dangerous consequences 416—Three tendencies of the reform movement 417-8—Tridentine reform; a compromise 421—The reform committee of 1536 423— <i>Consilium de emendanda ecclesia</i> 424-6—Schönberg's and Guidiccioni's criticism 427—Contarini's fight for a reform of the Dataria 429-31—Extension of the reform of the curial departments 434-7—Its termination 438—Raising of moral standard 439—New ideals 440—Obstacles to episcopal residence 442—The Catholic ideal of a bishop gains ground 444	



## CONTENTS

X The First Convocation of the Council of Trent	446-489
<p>Protestantism infiltrates into Italy 446—Discussion of Council at Lucca and Rome 448—Catholic reformation initiated in Germany 450-2—The Diet of Speyer (1542) accepts Trent 454—Bull of Convocation (22 May 1542) 455—The Emperor against Council and papal neutrality 457—Francis I's refusal; publication of the Bull in central Europe 459-61—Arrangements in the conciliar city 462-3—Instructions for the legates 464—The bishops stay away 468—Granvella's appearance at Trent 468—Ten bishops present at the end of seven months 474—Representatives from Germany 476—Papal policy at the parting of the ways 478-80—Pope and Emperor at Busseto (June 1543) 481—Translation, suspension, or continuation of uncertainty? 482—Suspension (6 July 1543) 483-7—Bearing of Farnese policy on the Pope's decision 488</p>	
XI The Peace of Crépy and the Second Tridentine Convocation	490-544
<p>Farnese's peace legation 491-3—Concessions to the Protestants at Speyer (1544) 495-7—Monitory Brief to the Emperor 498-9—The Peace of Crépy (18 September 1544) 501—Charles V's great plan 502—The Bull <i>Laetare Jerusalem</i> (30 September 1544) 504—Nomination of conciliar legates 509—Attendance from Italy 511—Hesitation in France and Germany 514-16—Farnese's fresh mission to the imperial court 517-18—Postponement of the opening 519—A Roman reform convention instead of a Council? 522—Del Monte's and Cervini's warnings against imperial policy 524—Between hope and fear 528—The legates annoyed by postponement 531—Plan for translation to Rome or Ferrara 533—Rejection by the Emperor 535—The legates press for the opening at Trent 537—Joy as date is fixed 541—Last moment difficulties 543</p>	
XII The Theatre and the Inauguration	545-581
<p>Situation and climate of Trent 545-7—Provisioning the gathering 548-9—Accommodation 552-5—The population and the Council 556—Civil and ecclesiastical distribution of the city 558-60—Cardinal Cles transforms its appearance 561-2—The bishop's palace and other buildings 563-4—Cardinal Madruzzo, his origin and character 565—political and ecclesiastical attitude 566-9—Host to the Council 570-3—Participants in the first session 574-5—Musso's sermon and the inauguration 577—Retrospect 579-81</p>	
Bibliography and Abbreviations	585-592
Index	595-618

## List of Plates

1. Pope Sixtus IV	<i>facing page</i>	100
2. Pope Julius II	„	116
3. Martin Luther as a Monk	„	228
4. Frederick the Wise, Elector of Saxony	„	244
5. Charles V with a dog	„	356
6. François I <sup>er</sup>	„	372
7. Pope Paul III	„	516
8. Cardinal Cristoforo Madruzzo	„	532





## Author's Preface

EVER since the days of Sarpi and Pallavicino, that is, for some three hundred years, the world has been waiting for a history of the Council of Trent that would be other than an accusation or a defence. Ranke thought that such a history could not be written: those who were willing to make the attempt were bound to fail because they had no access to the most important sources, while those who could write it lacked the will to do so. The first of these two difficulties was overcome when the Vatican archives were thrown open; but there remained another, one that has assumed enormous proportions since the days of Ranke. Today, more than ever before, a history of the Council of Trent is a hazardous enterprise, for the writer sees himself confronted with a problem with which a single individual can scarcely hope to deal adequately. On the one hand he is expected to assess the political issues of an agitated period of history, while on the other he must needs follow up the thought of a whole generation of divines and, besides, master the development of ecclesiastical law and discipline at the turn of the Middle Ages and their transition into the modern era.

If he is to succeed in an enterprise of this kind the writer must be at home in history, theology and canon law. But mastery of any one of these three disciplines demands a lifetime. The more perseveringly a scholar strives to equip himself for his task, the more painfully aware he becomes of the inadequacy both of his physical strength and of his actual knowledge as well as of the impossibility, for a single human mind, of encompassing the spiritual and political life of an entire epoch and giving it adequate expression. More than once I felt tempted to lay down my pen, reluctant as I was to play the pitiful role of the amateur before the experts in the above-mentioned branches of learning. If I resisted the temptation, it was because of a conviction that on their integration depends our spiritual survival, and that no institution was better qualified to strive for such a survival than the Catholic Church.

From the Church the present work borrows its standard of values: it has never stood in my way when I sought to understand and to appraise the standpoint of "the other side"; it was no hindrance even

## AUTHOR'S PREFACE

when unpleasant truths had to be uttered, and I have ever borne in mind the axiom laid down by Cicero and stressed by Leo XIII in his letter of 18 August 1883 to Cardinals De Luca, Pitra and Hergenröther: "Primam esse historiae legem ne quid falsi dicere audeat, deinde ne quid veri non audeat; ne qua suspicio gratiae sit in scribendo, ne qua simultatis." In addition to this I have presented the subject-matter in accordance with a very definite conception of the historian's duty which I have explained elsewhere ("Esame di coscienza di un storico", in *Quaderni di Roma*, 1947, pp. 206-17). Whether, and to what extent, my work conforms to this conception the critics must decide.

This book is written for discerning readers: it needs to be read, not merely dipped into. The footnotes enable the student to verify statements and to carry the examination of problems still further. Those who read merely to pick holes will find that a number of persons and incidents only briefly referred to deserve by themselves a fuller treatment. They will not fail to point to documents and papers that I have "overlooked". To these people I say that while I pay homage to their circumstantial information and am prepared to learn from them, I am unwilling to alter my general plan. It was necessary to limit myself, and to leave out a vast amount of material accumulated in my portfolios and my files, if the work was to be kept within reasonable bounds. I am well aware of the gaps; they are due, at least in part, to present-day conditions.

The reader who contents himself with a mere perusal of the book may feel that I have reached too far back; that, for instance, a short introduction would have sufficed to describe the views about Council and reform that were current in that period of transition, and that too much space has been allotted to the struggle for the Council. I must crave the indulgence of such readers. The volumes yet to follow will show the bearing of the questions discussed in the present one on the course of the Council.

Even the most impartial historical work cannot but bear the stamp of its author's personality; hence a brief account of the origin of this book may be a key to its understanding. The decision to draw up a comprehensive account of the history of the Council of Trent was taken in the spring of 1939. Thanks to the personal intervention of H.E. Cardinal Giovanni Mercati, I was able to take up residence in Rome in November of the same year. The clergy of the German Campo Santo made me an honorary member of their body and thereby provided for my maintenance. The first chapters were written amid the thunder of

#### AUTHOR'S PREFACE

the guns of Anzio, the latter ones at a time when my heart was heavy with anxiety for my relatives and my Silesian homeland. A long-planned journey to Spain was delayed by the war, which also prevented me from seeing a number of German and French publications. I nevertheless venture to publish the work, conscious as I am that the original material I have exploited is so copious, and so representative of every aspect of the subject, that a substantial change in its general interpretation is hardly to be expected.

The work will be completed in 8 books. Of these, Books I and II are contained in the first volume. Books III to V will cover the two Tridentine periods 1545-7 and 1551-2, together with the Bolognese interlude, which, by their bearing on the schism in Germany and their close connexion with Charles V's religious policy, form an organic whole. Books VI and VII will deal with the great reform Council under Pius IV. Book VIII will provide a review of the impact of the Council on the life of the Church, to which will be added a survey of the relevant literature, chronological tables, and lists of the members of the Council.

The present volume appears too late to commemorate two memorable events. It should have marked the four-hundredth anniversary of the opening of the Council of Trent, and also should have been an act of homage to H.E. Cardinal Mercati on the occasion of his eightieth birthday—17 December 1946—for it was with his encouragement that the work was undertaken. Neither of these aims was realised. None the less I trust that the volume will call forth interest in the great event it describes and that the eminent patron and all who have contributed to its production by their counsel, or otherwise, will regard it as an expression of my gratitude.

Bonn

12 *September* 1949

HUBERT JEDIN





# Book One

## CHAPTER I

### The Victory of the Papacy over the Reform Councils

STRANGE though it may sound, the history of the Council of Trent begins with the triumph of the Papacy over the reform Councils. In the course of the century between the dissolution of the Council of Basle and the assembling of the Council of Trent the notions of the Papacy, the Councils and Church reform that had taken shape in the late Middle Ages underwent a change and gave rise to tensions within the Church, and to a mental atmosphere which influenced the course and the result of the Tridentine assembly no less profoundly than the great event of the sixteenth century—the break-up of Christian unity.

True, we are here concerned chiefly with ideas, our presentation of which may seem pale and colourless, because it does not deal with the exploits of great men, and is not seasoned with the colourful details of actual life. However, like an induction-current which diverts the magnet, these ideas influenced the actions of the ecclesiastics and the politicians of the period of the Councils. If we succeed in grasping their inner content, we shall be on the way to an understanding of the history of the Council.

Up to the fateful turn of the Middle Ages, about the year 1300, the supremacy of the Papacy in the Church and in the *Respublica christiana* had remained unchallenged. Caesarism had collapsed after a long struggle, and its former universal authority was more nominal than real. A rigid centralisation of authority characterised the papal government of the Church. By reserving to themselves the right of nomination, the Popes disposed of an ever-growing number of ecclesiastical offices and benefices, and at the same time the charges on these, and the annates, were some compensation for the slowing down of the flow of income derived from the tenth everywhere demanded from the faithful for the crusade. Recently founded and centrally governed, the Mendicant Orders could be regarded as a bodyguard. The fourth Council of the Lateran, the two Councils of Lyons and that of Vienne, showed the Pope as the unquestioned head of Christendom. The teaching on the Pope's supremacy which theologians and canonists had

formulated in the course of the thirteenth century was given its final sanction in the Bull *Unam sanctam*.

However, the internal strength of the Christian and universal idea that had built up the spacious yet most compact structure of the world of the early Middle Ages had long ago grown weak. The collapse of the medieval conception of the world, together with that of a universal papal monarchy, proceeded almost at an identical rate. While the systems of later scholasticism were being breached by the critics of other schools, the rising national states of the West also voiced their claims. At Avignon the Papacy was made subservient to France's power-policy, while for such theologians as Olivi the concept of the Church had become a problem. The spiritual outlook of the modern individual and that of the modern state were both entering on the road that was to lead to Luther and Machiavelli.

Was the collapse unavoidable? Must we look for its causes in the Church herself?

Neither the first nor the second of these questions can be answered with a simple denial. Not the first, because the fact that individuals and peoples come of age does not put an end to human freedom; not the second, because contemporaries did not themselves hesitate to lay their finger on the abuses, and so on the historic guilt, of the Church of the late Middle Ages. Now that it had become a factor in the advance of culture, and even a world in itself—wealthy and powerful—the ecclesiastical hierarchy was no longer wholly in harmony with its apostolic mission. The campaign for a return to the practice of poverty—heretical in the case of the Waldensians, Catholic in that of St Francis—was a reaction against this development, nor was it the only one. The call for a reform, for a return to the primitive form of Christianity which had its roots in the very nature of revelation, and whose lineaments had been stamped on it by the early Church, became ever louder.<sup>1</sup> This call originated in the consciousness that Christ's foundation, as

<sup>1</sup> It would be an exaggeration to claim that the notes to this chapter provide a complete survey of the vast literature about the reform Councils and about conciliar theory; they merely point to the sources on which I have drawn and the various studies and treatises that I have consulted. Among the latter, in spite of its one-sided political approach to the subject, Haller's *Papsttum und Kirchenreform*, VOL. I (Berlin 1903), still holds the first place; see especially p. 154. For the influence of Gallicanism on the general development, see V. Martin, *Les Origines du Gallicanisme* (2 vols. Paris 1939). For a good survey of the reform literature, see A. Posch, *Die Concordantie catholica des Nicolaus von Cues* (Paderborn 1930), pp. 36 ff. On the problem of the Church, from the High Church point of view, see F. Heiler, *Altkirchliche Autonomundia päpstlicher Zentralismus* (Munich 1941), pp. 283-98.

historically realised in its individual members, no longer corresponded to the ideal—in other words, that it was not what it should be; and in this respect it was no new thing but was almost as old as the Church herself. However, it must be admitted that at the close of the thirteenth century the call became louder and more general, and that it took a very definite orientation. Though for the time being the institution of papal supremacy by Christ was not attacked, the demand for reform was aimed at the worldliness of the Church's hierarchy. But it was above all the centralisation of authority in the Curia, the procedure adopted in granting benefices, and the system of taxation connected therewith, that cried out for reform.

In the tract on the scandals of the Church which he drew up for the second Council of Lyons, Gilbert of Tournai still observed some restraint when speaking of the Pope. "The Lord's anointed", he declared, "we leave to the Supreme Judge. Let him study St Bernard's book *De consideratione*; it will teach him his duty."<sup>1</sup> However, in the course of the conflict between Boniface VIII and Philip the Fair, the French King's supporters Nogaret, Flot and Dubois attacked the Pope's position in the Church, while the French bishops ranged themselves behind their King's appeal to a Council, thus joining him in brandishing the formidable weapon forged by the Colonna Cardinals.<sup>2</sup> Long before D'Ailly and Gerson, the Dominican John of Paris, "the most versatile and most striking figure of the old Thomist school of Paris",<sup>3</sup> had formulated the thesis that a Council, since it represents the whole Church, is above the Pope and has power to depose him should he misuse his authority. However, the time was not yet ripe for so radical a solution of the question of authority. At the Council of Vienne, at

<sup>1</sup> *Archivum Franciscanum historicum*, xxiv (1936), p. 36. So also Humbertus de Romanis, *Opus tripartitum*, vol. III, pt ii (in Crabbe, *Concilia Omnia* (Cologne 1538), vol. II, p. 1000): "Nemo inferior audet ponere os in ecclesiam Romanam." On the question of authorship, see B. Birckmann, *Die vermeintliche und die wirkliche Reformschrift des Humbert de Romanis* (Heidelberg 1916).

<sup>2</sup> H. X. Arquillière, "L'Appel au concile sous Philippe le Bel et la genèse des théories conciliaires" in *Revue des questions historiques*, lxxxix (1911), pp. 23-55. J. Rivière, *Le Problème de l'Eglise et de l'Etat aux temps de Philippe le Bel* (Louvain 1926), pp. 109 ff. On p. 346 we read that Dubois, in his demand for a Council, "n'a rien soupçonné des théories conciliaires". On the three memorials of the Colonna cardinals in 1297, see *Archiv für Literatur- und Kirchengeschichte des Mittelalters*, v (1889), pp. 509-24.

<sup>3</sup> M. Grabmann, "Studien zu Johannes Quidort von Paris", in *Sitzungsberichte der bayrischen Akademie, philosophisch-historische Klasse*, vol. III (Munich 1922), p. 3. On the tract *De potestate regia et papali*, written in 1302-03, see R. Scholz, *Die Publizistik zur Zeit Philipps des Schönen und Bonifaz VIII* (Stuttgart 1903), pp. 298 ff.; Rivière, *Le Problème*, p. 295.

which, according to Philip the Fair's original design, Boniface VIII was to have been condemned as a heretic, proceedings against the dead Pope were dropped with the King's agreement, but the assembly met his wishes in the affair of the Templars. A tract destined for this same Council of Vienne by Guillaume Durant (Durandus) the Younger is significant as witnessing to the growth of the idea of reform. The tract is entitled *De modo concilii generalis celebrandi*, and in it Durandus lays down the principle that the reform of the Church must proceed from the head, that is, from the Roman Church.<sup>1</sup> The Pope must be a pattern for all by his faithful observance of the "ancient law". In Durandus's mind observance of the ancient law is almost identical with a strengthening of the authority of the bishops. A regular celebration of provincial and diocesan synods as well as of General Councils—the latter every ten years—would, in his opinion, substantially promote the health of the ecclesiastical organism.

For Durandus a "reform of the head" means the proper use of papal authority; the idea of its constitutional limitation does not present itself to his mind; still less does it occur to the papal penitentiary Alvaro Pelayo when, a lifetime later, he too laments the abuses in the Church.<sup>2</sup> In point of fact it was precisely at this time that the Pope's supreme authority was most clearly and most comprehensively defined by Augustinus Triumphus of Ancona.<sup>3</sup>

But here too there was a conflict of opinions. The struggle between John XXII and Louis of Bavaria gave birth in 1324 to a work which, by its cold array of arguments, constitutes the most revolutionary attack on the medieval Papacy. Its title is *Defensor pacis* and the author's name is Marsiglio of Padua. The Paduan scholar was not content to deny Christ's institution of the papal primacy and the fact of St Peter's sojourn in Rome as its bishop; he also put bishops and priests on an equal footing in respect of their spiritual powers. Moreover, by

<sup>1</sup> G. Durandus, *De modo concilii generalis celebrandi*, VOL. III, pp. 1, 27, in *Tractatus illustrium iurisconsultorum*, VOL. XIII, i (Venice 1584), fols. 173<sup>r</sup>-175<sup>v</sup>. The significance of this book for the rise of episcopalism is touched upon but far from adequately worked out by A. Posch, "Der Reformvorschlag des Wilhelm Durandus jun. auf dem Konzil von Vienne", in *M.Ö.I.G., Ergänzungsband*, XI (1929), pp. 288-303. For further information see Scholz, *Publizistik*, pp. 208-23; E. Müller, *Das Konzil von Vienne* (Münster 1938), pp. 499 ff., 591 ff.; Haller, *Papsttum und Kirchenreform*, VOL. I, pp. 60 ff.

<sup>2</sup> N. Jung, *Alvaro Pelayo* (Paris 1931), pp. 52 ff.

<sup>3</sup> Scholz, *Publizistik*, pp. 32-189. Aegidius Romanus, *De potentia ecclesiastica*, ed. R. Scholz (Weimar 1929). On James of Viterbo's *De regimine christiano*, written in 1302, see D. Gutiérrez, *De Jacobi Viterbiensis vita, operibus et doctrina theologica* (Rome 1939), pp. 35 ff.

applying his principle that the Church derives all her authority from the people, he ascribed to General Councils, as representing the body of the faithful, supreme authority in the Church. Authority, that is, to decide questions of faith and to alter such ecclesiastical institutions as rest on the decisions of former Councils. In his opinion, the right of appeal, and generally all coercive authority, rests with the secular power.<sup>1</sup>

Marsiglio did more than loosen a few stones in the structure of the universal papal monarchy—he levelled it to the ground. In its place he set up a vision of a Church deprived of authority, restricted to the purely spiritual sphere, impoverished, democratically governed, and subject to the secular state in her temporal condition and in her possessions. John XXII accordingly condemned, in 1327, this “son of Belial”, in the Bull *Licet iuxta doctrinam*, without, however, ascribing any significance to his conciliar theory. For the moment, as a matter of fact, that question lacked actuality. When it did become relevant most of its advocates hesitated to appeal to the condemned work.

Much more effective was Ockham’s *Dialogue*, written in 1343. Though the Friar Minor adduced most of Marsiglio’s arguments in the form of a scholastic disputation, he was not interfered with by ecclesiastical authority. Ockham did not contest the Pope’s right to summon a Council, but he made it a condition that no injury should accrue to the Christian faith.<sup>2</sup>

Sooner than might have been thought, a situation of this kind arose out of the Western Schism. The thought with which the “Venerabilis inceptor” of nominalism had merely toyed—that there might be more than one Pope at one and the same time—became a sorry reality.

It required the pitiful situation created by the Schism to bring about the alliance of conciliar theory with the demand for reform which determined the fate of both at the close of the Middle Ages. The kernel of the conciliar theory, as it has been called (though not quite accurately), may be summed up in the following propositions: Even as only a decision of a General Council is able to remedy the critical

<sup>1</sup> The decisive propositions in *Defensor pacis*, VOL. II, 18, 8, and more fully II, 20, 21 (ed. Scholz, Hanover 1933, pp. 382 f., 392-420); also Martin, *Gallikanisme*, VOL. II, pp. 32-41; E. F. Jacob, *Essays in the Conciliar Epoch* (Manchester 1943), pp. 85-105. The Bull *Licet* in Raynald, *Annales*, a. 1327, Nos. 27-35.

<sup>2</sup> *Dialogue*, PT I, BK VII, ch. 84; *Monarchia*, VOL. II, p. 603 f.; see Martin, *Gallikanisme*, VOL. II, pp. 41-54. The *Breviloquus de potentia papae* (ed. L. Baudry, Paris 1937) of a later date takes a more positive view of the doctrine of the primacy; cf. R. Scholz, *W. von Ockham als politischer Denker und sein Breviloquium de principatu tyrannico* (Leipzig 1944).

condition of the Church, so the only way to an effective reform is the limitation of papal authority by a General Council. Such a programme implied neither more nor less than the overturning of the Church's monarchical constitution as it had developed in the course of the centuries on the basis of Christ's word.

The first champions of the conciliar theory, the theologians Konrad von Gelnhausen and Heinrich von Langenstein, could not by any means be described as revolutionaries; it would be more correct to describe them as traditionalists.<sup>1</sup> They remembered that at the Councils of the late Middle Ages, such as those of the Lateran, Lyons and Vienne, the whole Church, clergy and laity, had been represented; from this it was only one more step to conceive the General Council as in fact the representative of the universal Church. As theologians they knew that even the Curia had always agreed that there was one case in which the Pope would forfeit his office—namely, if he were to lapse into heresy. In that case a Council would be qualified to pronounce that such a situation was actually in being, even though it would not be entitled to judge him. John of Paris actually drew up several imaginary cases analogous to this extreme one, in which the Pope would be amenable to the judgment of a Council. Lastly, in Gratian's *Decretum* the originators of the conciliar theory thought they had at least a fragmentary relic of the synodal system of the primitive Church. Durandus's demand for a return to the ancient law was based on Gratian's *Decretum*. In his view it was binding even on the Pope. In view of the desperate situation of the Church there was no need of Marsiglio's revolutionary notions for people to hit upon a conciliar solution as a kind of Columbus-and-the-egg expedient, though as soon as they looked round for theological arguments, the speculations of the radical theorists, in particular those of Ockham, offered a welcome support for such a procedure. Above all, the two so-called originators of the conciliar theory share with the Friar Minor the responsibility for introducing the notion of a right arising out of a state of emergency. Nearly every one of the later advocates of the conciliar theory have drawn on the *Dialogue*, the radical Dietrich von Niem no less than the much more conservative Gerson.<sup>2</sup>

<sup>1</sup> This view has been strongly advocated of late by M. Seidlmayer, *Die Anfänge des grossen abendländischen Schismas* (Münster 1940), pp. 174 ff. In so doing Seidlmayer follows in the wake of Bliemetzrieder and Ritter.

<sup>2</sup> H. Heimpel, *Dietrich von Niem* (Münster 1932) p. 125, does not hesitate to say that "die ganze konziliaristische Theorie, und so auch die *modi* (Niem's) lebt von Ockham" the whole conciliar theory, hence also the *modi*, derives from Ockham).

All the protagonists of the conciliar theory during the period of the Schism unanimously maintain the thesis that the universal Church, viewed by them as a society embracing all Christians, is the ultimate and supreme depositary of ecclesiastical authority, which it exercises, in certain cases, through its representative, a General Council. It matters very little, from the historical point of view, whether authority is regarded as resting with the whole body of the faithful, as Marsiglio thought, or whether it lies with the bishops as the successors of the Apostles. Nor is it decisive whether the bestowal of the primacy by Christ is flatly denied, as it is by Dietrich,<sup>1</sup> or whether it is retained with certain limitations, as by Gerson, who asserts that though Christ conveyed the Power of the Keys to the Apostle Peter and to his successors, that power rests in the last instance with the universal Church—that is, with her representative, the General Council, because the conveyance of authority is linked with its purpose, which is the building-up of the Church.<sup>2</sup> The point is that in the conciliar theory it is not the Pope, but the universal Church, that is invested with final and supreme spiritual authority, which a General Council may use even against the Pope should he be found wanting, even through no fault of his own, or if he were found misusing his pastoral authority. A General Council ranks above the Pope. Its authority is final; it controls and regulates the whole of the Church's life. Hence even the papal administration comes within its purview. Let me repeat it: these views of the Council were born of the straits created by the Schism. There seemed to be no other means to bring about a reunion between two contending Popes, two Colleges of Cardinals, and two obediences. But once the decision was taken to override them, and to fall back upon Church and Council, it was almost inevitable to submit to the same authority the earlier problem—that of the reform of the Church. As a matter of fact, Heinrich von Langenstein in his *Epistola concilii pacis* (1381) had already asserted that the reform of the Church would be one of the tasks of the Council of reunion.<sup>3</sup> It was reserved to the Gallicans to

<sup>1</sup> *De modis uniendi*, ch. 5, ed. Heimpel (Leipzig 1933), p. 15; cf. Heimpel, *Dietrich von Niem*, pp. 127 ff.

<sup>2</sup> *De potentia ecclesiastica, cons. X—XII*, in *Opera omnia*, ed. Dupin (Antwerp 1706), vol. II, pp. 239 ff. A study of Gerson's conception of the Church, on the basis of the material accumulated since Schwab wrote, is still wanting. J. L. Connolly, *J. Gerson, Reformer and Mystic* (Louvain 1928), and W. Dress, *Die Theologie Gersons* (Gütersloh 1931), do not deal with the question. Perhaps A. Combes's studies will produce such a work; see his *Jean de Montreuil et le Chancelier Gerson* (Paris 1942) together with *Six sermons inédits de J. Gerson* (Paris 1946).

<sup>3</sup> Dupin, vol. II, pp. 835 ff.



mould this idea into the formula which was to become so characteristic of the conciliar theory in its later stages.

At the French national councils of 1398 and 1406 Pierre le Roy, the father of Gallicanism, expounded the following ideas<sup>1</sup>: "The Schism will end when obedience is withheld from the Pope, or at least when the means and the power to win supporters are denied him by rejecting his right of nomination to benefices, and by withholding annates and procurations. Let us revert to the ancient law of the primitive Church and reassert the right of election by the ecclesiastical bodies. This right rests upon the canons of General Councils. Let us restore the rights of the ordinaries, which have been curtailed to the injury of the Church. By revoking these rights the Pope exceeded his powers, which were given him solely for the salvation of souls. He also offended against the canons of the General Councils, by which he is bound and which he cannot repeal. These things were only made possible because for a long time no General Council has been held and because the provincial synods and the general chapters of the Orders have fallen into desuetude."

Thus the aim was the healing of the Schism by means of a *reformatio capitis*, though more exactly by a curtailing of the powers of the papal government and a denial of the pecuniary charges connected with it: this was to be a return to the "ancient law". In this way the Gallicans' programme for union and reform was given its anti-curial twist. No doubt their intention in the first instance was to secure for themselves the same kind of ecclesiastical independence as that which the Church in England had won for herself in the fourteenth century. But they also provided all the malcontents with a catchword which was to be heard from that time onwards until the days of Trent and beyond.

Matthew of Cracow and Dietrich von Niem are justly regarded as the chief spokesmen of this pointedly anti-curial reform-plan. In his book—the mere title of which is a provocation—*Concerning the Filth of the Roman Curia* (1403-04), the former follows the same line of thought as le Roy, and goes even further.<sup>2</sup> Once again we are told that the granting of benefices by the Pope is at variance with the "ancient code"

<sup>1</sup> Bourgeois du Chastenot, *Nouvelle histoire du Concile de Constance* (Paris 1718), Preuves 29-36, 164-76; also Martin, *Gallicanisme*, VOL. I, pp. 280 ff., 315 ff.

<sup>2</sup> Ch. Walch, *Monumenta medii aevi*, VOL. I (Göttingen 1757), pp. 25, 46 ff., 79 f.; Haller, *Papsttum und Kirchenreform*, VOL. I, pp. 483 ff. For an appreciation of the man see G. Ritter, *Die Heidelberger Universität*, VOL. I (Heidelberg 1936), pp. 354 ff.

(*priora jura*). This right should be restored to the ordinaries, and care should be taken to appoint good bishops—all will then come right! The Pope is not the proprietor of the benefices, hence free to dispose of them as he pleases; he is only their steward (*dispensator*). His right of disposal is circumscribed by the canons, but above all by the very purpose of the benefices, which is the edification of the faithful. When he grants them against payment of money, as happens at this time, he incurs the guilt of simony. However subtle, all attempts to defend the existing practice are mere evasions. All those who have anything to do with these practices are simoniacs and are in a state of mortal sin. It is no use pleading that taxes and annates are required to meet the Pope's financial needs. In point of fact, the wretched financial situation of the Apostolic See is the direct result of the neglect of the Councils. If the bishops had been convened betimes, a way out of the difficult situation would have been found. The fact that these practices prove a failure may be a just judgment of God, because the Roman Church was determined to rule without reference to the other Churches.

The man who hurled these terrible accusations against the Curia died unmolested (in 1410 as Bishop of Worms), although he had made no mystery of the fact that he was one of the principal authors of the above-mentioned inflammatory pamphlet. Dietrich von Niem had been an official of the Curia for a number of years and was therefore well acquainted with its habits. His judgment is not any milder than that of Matthew of Cracow. In his great work on union and reform he lays down the axiom that if a Council intends to restore unity and to raise up the Church, it must begin by circumscribing the papal power according to the precedent established by the Fathers. Four years later he heads his *Avisamenta* for the Council of Constance with the thesis: The removal of the Schism will have no useful bearing on the reform of the Church unless it is followed by a careful limitation of the papal ruling power, the misuse of which has inflicted so many wounds on the body of the Church. Otherwise it might happen that if a saint came down from heaven to solicit a bishopric or an abbey he would not get a hearing, unless he produced cash.<sup>1</sup> Dietrich takes it for granted that only by regularly convened Councils could effect be given to his suggestions for a reform, and the evil of simony done away

<sup>1</sup> *De modis uniendi*, ch. 10, in Hardt, *Conc. Const.*, VOL. I, v, p. 90. The passages in the *Avisamenta* in *Acta Conc. Const.*, VOL. IV (Münster 1928), pp. 595, 601.

with. The next General Council should be held within five years.

Not all reformers spoke in the same passionate terms as Matthew and Dietrich, who had both been embittered by personal experiences. Others, though more moderate, were at one with them in their concrete demands. Characteristic of their attitude is a tract by an anonymous writer of about the year 1406. This author, a whole century before the humanists had opened out a broader vista on Christian antiquity, was able to take a comprehensive view of the problem of the reform and to see it in what one might call a truly historic perspective.<sup>1</sup> He shares the radicals' conviction that all the evils that have befallen the Church are due to the Curia and to the absolutism of the papal administration. He too demands a return to the "episcopalism", and to the canons, of the primitive Church. On the other hand, his conception of the ancient ecclesiastical constitution is far more accurate than theirs—and he shows acquaintance with the Greek Church. When he suggests that the synodal institutions and the patriarchal constitution of antiquity should be restored, one senses a motive that points far beyond the problems of the moment, namely, a reform that would be a return not only to the "ancient law" previous to the Schism or the decretals, but to an ideal condition which he imagines to have been realised in the primitive Church.

Every advocate of reform in the period of the Schism sounds his own particular note; but, however diverse their voices may be, they blend in one chorus. With one accord they clamour for a great Council that would unite and reform the Church. For them reform spelt Council. The assembly of Pisa convened by the cardinals was not what they wanted,<sup>2</sup> and it produced neither unity nor reform. Only the gathering which, after protracted efforts, at length met at Constance, and which represented the whole of Christendom, seemed destined to resolve the two great problems of the age in the sense of the upholders of the conciliar theory. Results fell short of expectation. Faced with the threat of internal collapse after the flight of John XXIII, who had succeeded the Pope elected at Pisa, the Council, on the proposal of the French Cardinal Fillastre, issued its celebrated decree *Sacrosancta* in

<sup>1</sup> R. Scholz, "Eine Geschichte und Kritik der Kirchenverfassung vom Jahre 1406", in *Papsttum und Kaisertum, Festschrift Kehr* (Munich 1926), pp. 595-621.

<sup>2</sup> Conciliarist ideas are found, e.g. in the anonymous memorial of the year 1408, published by J. Vincke, *Schriftstücke zum Pisaner Konzil* (Bonn 1942), pp. 410 ff. On the decree as a simple emergency measure without dogmatic significance see *R.Q.*, XLVI (1938), p. 93.

the fifth session, 6 April 1415,<sup>1</sup> to the effect that the General Council, representing as it did the whole of Christendom, derived its authority directly from Christ. Hence everyone, the Pope included, was bound to obey it in all that concerns the faith, unity and general reform. However, after the Schism had been happily disposed of, at a time when King Sigismund and the German (and, for a while, the English) conciliar "nation" also, pressed for a discussion of reform before the election of a new Pope, they met with opposition both from the Latin "nations" and from the cardinals, so that all they secured was the decree *Frequens*, passed in the thirty-ninth session, 9 October 1417, by which provision was made for the future convocation of General Councils at regular intervals. The first two were to be held at intervals of five or, if necessary, seven years, while subsequently there was to be one every ten years. Precautions were likewise taken against a renewal of schism. Every newly elected Pope would be obliged to make a *professio fidei* by which he bound himself to observe the decisions of the eight ancient Councils as well as those of the more recent ones, viz. those of the Lateran, Lyons and Vienne. The fortieth session, 30 October 1417, drew up a scheme for the reform of the Curia which would be enforced after the election of a Pope.<sup>2</sup>

The two decrees *Sacrosancta* and *Frequens* represented an undoubted success for the partisans of the conciliar theory, but by no means a complete victory, much less a final one. Victory was not complete, for how could a Council which only met periodically assert itself against a permanent and powerful institution such as the Papacy, firmly grounded as that institution is in the Church's consciousness of her own nature? It was not final, for the true conception of the Papacy was not by any

<sup>1</sup> *Sacrosancta concilia*, edd. P. Labbé and G. Cossart (Paris 1671-2), VOL. XII, p. 22; Mansi, VOL. XXVII, p. 590 f. The preliminary proposals in *Acta Conc. Const.*, VOL. II, pp. 701 ff. J. Hollnsteiner's attempt (*M.Ö.I.G.*, *Ergänzungsband*, XI (1929), pp. 410 ff.) to explain the decree as a simple emergency measure of no doctrinal import is not convincing. The assertion (p. 417) that in authoritative circles of the Council no one thought that the supremacy of the assembly could be extended beyond the election of a Pope is quite wrong. N. Valois's arguments, *Le Pape et le Concile*, VOL. I (Paris 1909), pp. vii-xxvii, seem to me most to the point.

<sup>2</sup> Labbé-Cossart, *Sacrosancta concilia*, VOL. XII, pp. 238 ff.; Mansi, VOL. XXVII, pp. 1159 ff.; B. Hübler, *Die Constanzer Reformation und die Konkordate von 1418* (Leipzig 1867), pp. 118 ff. The so-called *Professio fidei* of Boniface VIII (*Acta Conc. Const.*, VOL. II, pp. 616 ff.), on which the formula of the oath was based, was only drawn up in 1407 according to Luvès in *M.Ö.I.G.*, XXXI (1910), pp. 375-91. For a comprehensive presentation of the discussions about reform on the basis of the material available up to the year 1920 see A. Hauck, *Kirchengeschichte Deutschlands* (Leipzig 1920), VOL. II, ii, pp. 1020-49, and *Acta Conc. Const.*, VOL. II, pp. 547 ff.; VOL. IV, pp. 539 ff.

means disposed of. When, in the fourth session, Cardinal Zabarella, the great Paduan jurist, was called upon to read the decree of the Council's superiority over the Pope, he refused to do so, for though he favoured the notion he was nevertheless unwilling to admit the Pope's subjection to the Council in matters connected with reform, on the ground that this would be equivalent to a general subordination. In the fifth session, the bishop-elect of Posen had to deputise for Zabarella.<sup>1</sup> Even at Constance the papal conception never lacked champions.<sup>2</sup> Martin V, the Pope of unity, who was elected on 11 November 1417, refrained from a general confirmation of the decrees of the Council,<sup>3</sup> and on 10 May 1418 he prohibited every kind of appeal from the Pope to another tribunal in matters concerning the faith.<sup>4</sup> Gerson was right when he interpreted this prohibition as a rejection of the superiority of the Council. The attempts to alter the constitution of the Church proved unsatisfactory, as did the reforms of Church administration, of the clergy, and of the pastoral ministry. Events justified King Sigismund's previsions: the divergent proposals for a reform by the various "nations" gave the Pope the desired opportunity for embodying the bulk of the reform of the Curia in the concordats with the conciliar "nations", thus robbing them of their sting.

The seven decrees of the forty-third session only partially met the real demands of the convinced protagonists of the conciliar theory, while the Pope's declaration, that they had adequately discharged the obligation to initiate a reform to which he had agreed before his election, provided him with a formal means of avoiding a duty.<sup>5</sup> The Curia's management of provisions and taxes was brought under a measure of control, but no attempt was made to breathe a new spirit into the

<sup>1</sup> Thus John of Palomar, Döllinger, *Beiträge*, vol. II, p. 416, confirmed by Fillastre, *Acta Conc. Const.*, vol. II, p. 27. Cerretanus (*ibid.*, p. 299) does not mention this particularity.

<sup>2</sup> Among the defenders of the primacy mention must be made of Leonardus Statius, the general of the Dominicans, *Acta Conc. Const.*, vol. II, pp. 705 ff. Others are discussed by P. Arendt, *Die Predigten des Konstanzer Konzils* (Freiburg 1933), pp. 127 ff. The majority of the preachers, especially those of the first period, upheld the conciliar theory, *ibid.*, pp. 119 ff., 238 ff.

<sup>3</sup> F. X. Funk, *Martin V und das Konzil von Konstanz: Kirchengeschichtliche Abhandlungen und Untersuchungen*, vol. I (Paderborn 1897), pp. 489-98; Valois, *Le Pape*, vol. I, p. xx f. This view coincides with the conciliar theory according to which the decisions of a Council do not require papal confirmation.

<sup>4</sup> Valois, *Le Pape et le Concile*, vol. I, pp. xxii ff.

<sup>5</sup> The reform decrees of the forty-third session in Mansi, vol. XXVII, pp. 1174-94. Hübner, *Constanzer Reformation*, pp. 158 ff.; text of the concordats also in Mercati, *Raccolta*, pp. 144-68.

pastoral ministry. Everybody was tired of the protracted discussions and disputes and wanted to go home.

However, it would not be true to say that everything went on as before, as was feared by the University of Vienna's delegate to the Council, Peter von Pulka.<sup>1</sup> Martin V stood formally upon the decisions of Constance; in fact the validity of his election was dependent on their binding force. The Antipope Benedict XIII obstinately maintained his pretensions at Peñíscola. In spite of grave misgivings about its conciliar tendencies, Martin V sent legates to the General Council convened at Pavia in 1423 but soon transferred to Siena. When the Fathers of that feebly-attended assembly began to squabble over the question of authority and reform, he dissolved it, on 7 March 1424.<sup>2</sup> At the same time he sought to pacify the reformers by initiating a reform of the papal Curia. In this he was unsuccessful. By the time the Council summoned to meet at Basle in 1431 actually opened, and, after some delay, had been given a papal legate in the person of Cardinal Cesarini, the radicalism of the adherents of the conciliar theory was greatly increased and the call for reform became louder than ever.<sup>3</sup> It was at Basle that the decisive battle between the Papacy and the conciliar theory was fought out.<sup>4</sup>

After a hard and protracted struggle, during which the Church, for the last time, was rent by schism, the Papacy proved victorious. The victory was less a personal achievement of Eugenius IV than the consequence of a stronger grasp of the notion of the primacy and, we may

<sup>1</sup> "Pro nunc, ut timeo, non erit notabilis reformatio quantum per homines stabit", report of 10 February 1418, in *Archiv für Kunde österreichischer Geschichtsquellen*, xv (1856), p. 66.

<sup>2</sup> On these tensions, see John of Ragusa, *Mon. Conc. gen.*, vol. I (Vienna 1857), pp. 20, 35 ff.; Valois, *Le Pape et le Concile*, vol. I, pp. 1-39; Mengozzi, "Papa Martino V e il concilio ecumenico di Siena", in *Bolletino Senese*, xxv (1918), pp. 247-314; also separate print (Siena 1918).

<sup>3</sup> Preoccupation with the Pope's compliance with the decrees of Constance is a characteristic feature of the whole of the reform literature, cf. *Mon. conc. gen.*, vol. I, pp. 32, 35; *Conc. Bas.*, vol. VIII, p. 34; vol. I, p. 215. On the German National Council planned in 1413, to be preceded by provincial synods, see *R.T.A.*, vol. x, p. 517; K. Beer in *M.Ö.I.G., Ergänzungsband*, xi (1929), pp. 432-42.

<sup>4</sup> For the Councils of Basle and Constance a full presentation of the material accumulated in *Conc. Bas.*, vols. I-VIII (Basle 1896-1939), is not yet available. Useful for our purpose are, besides Valois, the studies of P. Lazarus, *Das Basler Konzil* (Berlin 1912), and R. Zwölfer, "Die Reform der Kirchenverfassung auf dem Konzil von Basel", in *Basler Zeitschrift*, xxviii (1929), pp. 141-247; xxix (1930), pp. 1-58. On Cesarini's reform material see Dannenbauer, *Conc. Bas.*, vol. VIII, pp. 4 ff. Wackernagel, *Geschichte der Stadt Basel*, vol. I (Basle 1907), pp. 476-538, has a masterly description of the scene.

add, the result of the heavy blunders of the assembly of Basle. Its first conflict with the Pope, in which it was victorious, was provoked by the Bull of Dissolution dated 12 November 1431. During this contest the assembly republished, in the second session (15 February 1432) the decree of Constance on the superiority of the Council. In the eighteenth session<sup>1</sup> (26 June 1434), when Eugenius IV had yielded and declared it to be a legitimate Council, the assembly proclaimed once more what it regarded as a fundamental principle. Three years later, after it had finally broken with the Pope over the question of re-union with the Greeks, it went so far as to declare, in the thirty-third session (16 May 1439), that the proposition "The General Council is above the Pope" was a dogma of the Catholic faith.<sup>2</sup> The deposition of Eugenius IV and the election of Felix V were only the ultimate consequences of the new "dogma".

Even before this step the Council had begun to exploit in good earnest yet another axiom of conciliar theory, namely that the reform of the Church must be brought about by curtailing papal administrative powers. The abrogation (in the twenty-first session) of annates and the curial taxes deprived the Pope of one of his main sources of income while leaving him no compensation. In the twenty-third session the Council abrogated reservations and decreed a reform of the College of Cardinals. At a later date the Council of Trent reverted to the stipulations of this decree with regard to the number, composition and filling-up of the College in nearly every one of its own proposals for a reform. Preoccupation with the *reformatio capitis* did not lead to a complete overlooking of the *reformatio membrorum*. The decrees of the fifteenth session on the celebration of provincial and diocesan synods, and those of the twentieth against clerical concubinage were a first step to meet the no less pressing need of a reform of the members—and it was no more than a first step. More plainly than formal decrees, the tracts and proposals concerning reform of which parts have been preserved in Cesarini's manuscript memoranda, convey the impression that the Council was well aware of the grave injury done to ecclesiastical life everywhere, in episcopal curias, in chapters, in religious orders and in the pastoral ministry, and that it was prepared to apply a remedy to so many abuses. But the longer these measures were delayed, the more

<sup>1</sup> Labbé-Cossart, *Sacrosancta concilia*, VOL. XII, pp. 477, 540 ff.; Mansi, VOL. XXIX, pp. 21, 91.

<sup>2</sup> Labbé-Cossart, *Sacrosancta concilia*, VOL. XII, p. 619; Mansi, VOL. XXIX, p. 178 f.

the assembly allowed itself to be influenced by the one-sided Gallican principle for which the parliamentary councillor Gée coined the axiomatic formula: "Let but the head be reformed, the reform of the members will follow easily."<sup>1</sup> The representatives of the lower clergy, the chapters and the universities, and the horde of doctors, had long ago gained an overwhelming ascendancy at Basle, while the bishops were withdrawing from a Council which, after creating a curia of its own, was deeply engaged in the business of allocating prebends. Not a few of the best members of the Council went over to Eugenius IV, including Cesarini, its one-time president, Cardinal Capranica, Andrew of Escobar, and Nicholas of Cusa. In the end the assembly's energy spent itself almost exclusively in a struggle for self-preservation and for the upholding of the conciliar theory, with which it stood or fell. Furthermore, there was a suspicion that the French, who numerically were strongly represented, and who in the person of Louis d'Aleman had provided the president, were determined to recover the ascendancy over the Church which they had exercised during the Avignon period. This proved prejudicial to the Council. As a matter of fact, in the very first days of the assembly the Archbishop of Tours had remarked to Aeneas Silvius Piccolomini that this time they would wrest the Papacy from the hands of the Italians or "pluck" it to such an extent that it would no longer matter where it was.<sup>2</sup>

While the men of Basle were engaged in a desperate struggle for their principle under the leadership of Aleman and Segovia, Eugenius IV brought to a successful issue the great task of leading back into the unity of the Church the Greeks, the Armenians and the lesser oriental Churches. In the Bull of Unity, *Laetentur coeli* (6 July 1439), the Council of Florence defined that the Pope is the successor of St Peter and the Vicar of Christ, head of the universal Church and father and teacher of all Christians and that in the person of Peter full power was conferred on him by Christ to guide and rule the whole Church.<sup>3</sup> This

<sup>1</sup> *Conc. Bas.*, VOL. VIII, p. 171. Copious material on the "reformatio membrorum" is provided by two anonymous Italians, *Conc. Bas.*, VOL. I, pp. 210 ff., and VOL. VIII, pp. 37, 143; Andrew of Escobar, VOL. I, p. 219, and the Spanish proposal, VOL. VIII, pp. 49 ff.; the Frenchmen Meynage and Maurel, VOL. VIII, pp. 61 ff., 165 ff.; an anonymous German, and Bishop Schele of Lübeck, VOL. VIII, pp. 100 ff., 119 ff. But the fact remains that as Beckmann observes, *Conc. Bas.*, VOL. VI, p. lxiv, very little was achieved after the outbreak of the second conflict.

<sup>2</sup> "Commentarius de rebus Basileae gestis", in Aeneas Silvius Piccolomini's correspondence, ed. Wolkan, VOL. II, p. 188.

<sup>3</sup> Mansi, VOL. XXXI, pp. 1030 ff. On the two versions of the text, see G. Hofmann, *Papato, conciliarismo, patriarcato* (Rome 1940), pp. 59 ff.



definition was the answer to Basle's attempt to erect the conciliar theory into a dogma. It became the *Magna Carta* of the papal restoration.

It took some time before the scales came definitely down against Basle. Powerful forces confronted each other—on the one hand the Church's consciousness of her unity which was deeply injured by the new schism, as well as the various nations' strong attachment to the successor of St Peter, and, on the other, the idea of the Council thanks to which Constance effected the removal of the schism, and the longing for a reform which it was generally thought a Council alone would carry through. But by the side of these forces, which were essentially religious, with their roots in the early Middle Ages, other forces of more recent origin also asserted themselves.

In the Pragmatic Sanction of Bourges France arbitrarily invested twenty-four decrees of the Council of Basle with the authority of a law of the State, while the German Electors took a similar decision in the *Acceptatio* of Mainz. Both measures were inspired by a determination to take the reform of the Church into their own hands. Both documents insist on a periodic holding of a General Council, the restoration to chapters and monasteries of the right of election, and a curtailment of the papal right of nomination which was at variance with these claims. Both documents are dictated by distrust of Rome. Over the question of superiority the French side with Basle while Mainz observes a cautious reserve in consequence of the Elector's policy of neutrality. Far more serious than any particular act was the principle on which both measures were based. The fact was that the two most important nations of Christendom were prepared to regulate ecclesiastical affairs in their respective territories with complete independence and without reference to either Pope or Council.<sup>1</sup>

In the end the defeat of the men of Basle was decided by the action of the princes. The assembly of Basle was a crowded one, one that did not shrink from the revolutionary step of deposing a legitimate Pope. But what political advantages had it to offer? For their part, the princes demanded and obtained the most far-reaching privileges in return for a declaration of obedience to Eugenius IV, viz. for Alfonso V

<sup>1</sup> The two documents collated in A. Werminghoff, *Nationalkirchliche Bestrebungen im deutschen Mittelalter* (Stuttgart 1910), pp. 33-85. On the drafting and execution of the Pragmatic Sanction see N. Valois, *Histoire de la Sanction Pragmatique de Bourges sous Charles VII* (Paris 1906), and Haller, in *H.Z.*, ciii (1909), pp. 1-51; Martin, *Gallicanisme*, vol. II, pp. 293 ff.

of Aragon the investiture of Naples,<sup>1</sup> and for the Emperor Frederick III the disposal of a large portion of the benefices of his hereditary lands. As for the German territorial princes, they abandoned their neutrality for a promise of a new Council and recognition of its authority, together with certain financial concessions. The concordat with Eugenius IV's successor, Nicholas V, concluded with Vienna, upheld precisely the Curia's chief claims, namely the principle of reservations and the annates.<sup>2</sup> France announced its willingness to put an end to the Schism, though without renouncing the Pragmatic Sanction<sup>3</sup> while in return for the abdication of Felix V Savoy was granted an extremely favourable indult. England and Burgundy had always remained faithful to the Pope, were it for no other motive than that of countering French influence at Basle.<sup>4</sup>

Thus the Papacy had triumphed over the conciliar movement—but at a heavy price. The chief beneficiary was the modern state which during the period of conflict had got into the habit of independent action in purely ecclesiastical questions. It had widened its authority over the Church, its offices and its property within its boundaries, and through the concordats its relations with the Papacy were based on the law of nations.<sup>5</sup> In the ecclesiastical conflict between Pope and Council both the national states of the West and the territories of the Empire had adopted an attitude for the most part inspired by political considerations. In the sequel also they seized upon the longing for a Council in order to render the Pope amenable to their political demands. But when the break-up of Christian unity necessitated a new Council, France's opposition was once more inspired by purely political motives.

The conciliar theory had been defeated by the Papacy's skilful policy; that institution even issued from the struggle with Basle with

<sup>1</sup> Pastor, VOL. I, p. 393 (Eng. edn., VOL. I, p. 331).

<sup>2</sup> The so-called princes' concordat of 5 February 1447, and the Vienna concordats of 17 February and 19 March 1448 respectively, Mercati, *Raccolta*, pp. 168-85; *ibid.*, the indult for Saxony dated 10 March 1452 mentioned below; cf. W. Michel, *Das Wiener Konkordat vom Jahre 1448 und die nachfolgenden gravamina des Primarklerus der Mainzer Kirchenprovinz* (Dissertation, Heidelberg 1929).

<sup>3</sup> Valois, *Le Pape*, VOL. II, pp. 327 ff.

<sup>4</sup> Haller, *Piero da Monte*, pp. 42\* ff.; J. Toussaint, *Les Relations diplomatiques de Philippe le Bon avec le Concile de Bâle* (Louvain 1942), pp. 265-81—text of the discourse pronounced at Nuremberg in 1444 by the Bishop of Verdun in defence of Philip's loyalty to the Roman See.

<sup>5</sup> W. Bertram, *Der neuzeitliche Staatsgedanke und die Konkordate des ausgehenden Mittelalters* (Rome 1942), pp. 159 ff.

renewed internal strength, a result due in no small measure to the writings of its theologians. Although the controversial writings of both parties exist for the most part only in manuscript, so that they have not been by any means adequately studied, even so it may be said that the monarchical conception of the Papacy experienced a notable strengthening within the Church. This revulsion of feeling may be observed even in the greatest thinker of the time, Nicholas of Cusa.

Nicholas's *Concordantia catholica*, completed in 1433, is the most original product of the conciliar theory in the period that concerns us.<sup>1</sup> Two basic principles, and, we may add, two standpoints confront each other in this work. With pseudo-Dionysius, Nicholas views the Church as a divine cosmos from the head of which, that is, Christ, grace flows into humanity through the channel of the hierarchy. The hierarchy is the depositary of the priesthood in which the Pope, the bishops and even simple priests participate. On the other hand men are by nature free, hence it is only with their consent that ecclesiastical superiors and ecclesiastical laws may demand their obedience. It is in virtue of this consent of the subordinates that the bishop represents his diocese and the Council the whole Church.

The main lines of the Church's constitution start from these two principles: the Pope and the bishops are equally the successors of Peter and are invested, by right divine, with essentially the same authority. The gradation of powers in the Church refers only to their use, that is, their execution. This gradation exists in virtue of an enactment of the positive law, though not without divine concurrence. The Pope's authority, in particular, rests not only upon Christ's institution, when He constituted Peter the principle of unity, but likewise on a transmission by the Church embodied in the cardinals who elect the pontiff. However, the primacy of the Bishop of Rome is not a primacy of jurisdiction. The Pope is not *episcopus universalis*, he is only *super alios primus*. Like Peter he takes precedence over all the others though only as an administrator, for the good of the whole body. The doctrine of the Pope's plenitude of power over the whole Church is no more than

<sup>1</sup> It is impossible within so small a compass to develop Cusa's conception of the Church which won for him the title of "Cyprianus redivivus" (Heiler, *Altkirchliche Autonomie*, p. 299). The basic notions of Council and reform expounded in the text are to be found in *Concilia catholica*, VOL. II, pp. 13-17 and, more summarily, p. 34, *Opera* (Basle 1565), pp. 722 ff., 734 ff., 774; cf. Posch, *Concordantia catholica*, pp. 78-126. E. Bohnenstädt's *Kirche und Reich im Schrifttum des Nicolaus von Cues* (Heidelberg 1939) is little more than a mosaic of quotations in my opinion.

a discovery of base adulators. Supreme power, as well as infallibility, belong to the General Council, which derives its authority directly from Christ, while it represents at the same time the unanimous agreement of all Christians. The Council is above the Pope and may depose him, or reform him, as the case may be, not only if he falls into heresy but for any other misdemeanour. The Council is convened by the Pope but does not depend on him; its decisions do not need papal confirmation; on the contrary, they are binding on him, so that he can only dispense from them in particular cases. As a matter of fact, the difference between conciliar canons and papal decrees consists precisely in that the former have already secured the assent of the universal Church whereas the latter still require it. The canons, therefore, constitute an insuperable barrier to papal legislation. However, in order to render the misuse of papal authority impossible in time to come it is necessary to create constitutional securities, chiefly by the concession of wider powers to the College of Cardinals. The cardinals should be chosen with the consent of the bishops from all the various nations. Both the rights of metropolitans and those of patriarchal Councils should be restored.

The *Concordantia* embodies all the principles of the conciliar theory and all the demands of its adherents, such as the Council's superiority over the Pope, its right to correct him, the subjection of papal legislation and administration to the canons, the need of guarantees against misuse of the primacy and a return to the "ancient laws". These ideas are all cast into a speculative mould from which there issues a conception of the Church as a divine cosmos in which God's will and man's freedom are interlocked. The practical application of this speculative notion makes it difficult either to interpret the *Concordantia* or to account for Cusa's subsequent evolution, for when he turned his back on Basle he also changed his attitude to the question of authority. In his propositions and discourses at Mainz <sup>1</sup> he unequivocally traces the authority of the Council back to the Pope and attributes to him the right to dispose of all benefices. In his letter to Sánchez de Arevalo, 20 May 1442,<sup>2</sup> he endeavours to harmonise his new opinion with his earlier teaching by

<sup>1</sup> *R.T.A.*, vol. xv, pp. 643 ff., 761 ff.

<sup>2</sup> *Opera*, pp. 825-9. G. Kallen, *Cusanustexte*, vol. II (Heidelberg 1935), pp. 1064 ff. A definitive evaluation of Cusa's teaching on the Church will only be possible when the Heidelberg edition of his works is completed. The earlier studies by M. Birk, in *T.Q.*, LXXIV (1892), pp. 617-42, and *H.J.*, XIII (1892), pp. 770 ff., and that of P. P. Albert, *Festgabe Grauert* (Freiburg 1910), pp. 116-31, are both one-sided and antiquated. Posch, *Concordantia catholica*, pp. 163 ff., and Heiler, *Altkirchliche Autonomie*, pp. 313 ff., are too summary.

recourse to the principle of divided authority. A papalist in the customary sense of the word he never became. Thus he continued to regard as fundamental the notion that the Pope exists for the building up of the Church—*aedificatio ecclesiae*—and he would not forgo guarantees against a possible misuse of the primacy. Pius II himself has left us a description of the dramatic scene when Nicholas championed with the utmost conviction the pretensions of the College of Cardinals.<sup>1</sup> On the other hand his great journey through Germany as papal legate shows how seriously he took the work of reform to which the Pope was committed.

Like Nicholas of Cusa, the Portuguese Andrew of Escobar, in his work *Gubernatio conciliorum* published between 1430 and 1435, had begun as a strong advocate of the supremacy of a General Council over the Pope in all that concerns the faith and the general state of the Church, hence also general reform. However, he too ended by abandoning his opinion on the nature of the Council and his name appears among the signatories of the Florentine Bull of Unity.<sup>2</sup> Cesarini's former collaborator, John of Palomar, defended the attitude of the Council during the first conflict with the Pope and regarded the decree *Sacrosancta* of Constance as binding; however, after the schismatical election, when the question who should be obeyed had to be decided, he unhesitatingly pronounced in favour of Eugenius IV.<sup>3</sup> Aeneas Silvius Piccolomini, who had long defended the standpoint of Basle in his writings and had even acted as secretary to the curia set up by that Council, adopted at first a neutral attitude, but in the end he too went over to the party which was about to triumph. As secretary to Frederick III he worked for that Emperor's adhesion to Eugenius IV.<sup>4</sup>

The conciliar theory continued to find learned and convinced advocates who, unlike the author of a self-styled *Confutatio primatus*

<sup>1</sup> J. Cugnoni, *Aeneae Silvii Piccolomini Sen. opera inedita* (Rome 1883), p. 216 f.

<sup>2</sup> *Gubernatio conciliorum*, written in 1434, and dedicated to Cesarini, in Hardt, *Conc. Const.*, VOL. VI, ch. 4, pp. 139-334. On the question of authority and reform see Parts i-iii. For Aeneas's activities at Basle, see *Conc. Bas.*, VOL. I, p. 114. I have not been able to consult L. Walter, *Andreas von Escobar, ein Vertreter der konziliaren Theorie am Anfang des 15. Jahrhunderts* (Münster 1921). For Aeneas's role at the Council of Florence see Hofmann, *Papato, conciliarismo, patriarcato*, pp. 31 ff.

<sup>3</sup> Döllinger, *Beiträge*, VOL. II, pp. 414-41. With regard to the decree *Sacrosancta* he makes a reservation to the effect that the Pope was only subject to the Council in respect of reforms affecting the whole Church (p. 419).

<sup>4</sup> G. Voigt, *Enea Silvio Piccolomini*, VOL. I (Berlin 1856), pp. 295 ff., 340 ff. For a verdict on the *Commentarius de rebus Basileae gestis*, written in 1447, and after he had changed sides, see *Conc. Bas.*, VOL. I, pp. 15 ff.

*papae*, declined the cover of anonymity. The greatest canonist of the period, Niccolò Tudeschi, made a bold stand for the Council in his apologia directed against Cardinal Cesarini. To his authority it was largely due that the conciliar theory found supporters as late as the following century.<sup>1</sup> Notwithstanding the fact that he was a Roman and a lawyer of the Curia, Ludovico Pontano remained a supporter of the Council until the plague carried him off in the summer of 1439.<sup>2</sup> Even more resolutely than any of the above-named, Juan of Segovia, a theologian of Salamanca and celebrated even at this day as a historian of the Council, criticised Eugenius IV and the neutrality of the German Electors in a book on the authority of the Church, as well as in several smaller publications.<sup>3</sup> However, when we examine the survey of the bibliography, incomplete though it is, with which the studious Lorenzo of Arezzo prefaces his great compilation of 1440,<sup>4</sup> with a view to ascertaining the attitude of particular writers to the question of authority, we find that the number of the defenders of papal primacy

<sup>1</sup> Of the utmost importance is the answer to Cesarini's declaration beginning with the words "Maximum onus", written early in 1438, Mansi, VOL. XXX, pp. 1123-84; *Mon. conc. gen.*, VOL. II, pp. 1144-93. In Chapter V we shall revert to "Quaestio Episcopus et quidam rector" (*Consilia*, Venice 1578, fols. 183<sup>r</sup>-190<sup>v</sup>). Tudeschi's contribution to the survival of conciliarist ideas in the latter part of the fifteenth century is mainly due to his frequently reprinted commentary on the decretals (Hain, Nos. 12308-24). I have not been able to consult J. Schweitzer, *Nikolaus de Tudeschi* (Strasbourg 1927).

<sup>2</sup> Pontano's *Consilia* have been reprinted more than once (Hain, Nos. 13274-8). For his conciliarist opinions *Cons.* 521-3 are the most important. The *Tractatus super potestate universalis ecclesiae et generalium conciliorum* I only saw in manuscript, Vat. lat. 4118, fols. 1<sup>r</sup>-15<sup>r</sup>; Vat. lat. 4905, fols. 1<sup>r</sup>-16<sup>v</sup>, each followed by the "Sermo" mentioned in *R.T.A.*, VOL. XIII, p. 568 n.

<sup>3</sup> The long series of Segovia's writings on the Council opens with a memorial dated 1434, on the admission of papal legates. Most important is *De auctoritate ecclesiae seu de insuperabili sanctitate et summa auctoritate generalium conciliorum*, and the *Tractatus X avisamentorum*, written at the very latest in the spring of 1439. These were followed by *De tribus veritatibus fidei*, a treatise against the neutrality of the Electors, and *Iustificatio sententiae contra Gabrielem*, all of them in manuscript. For their content and historical value see *Conc. Bas.*, VOL. I, pp. 20-53. For the reputation of holiness in which he died, as did Allemand and Felix V, cf. Valois, *Le Pape*, VOL. II, pp. 356 ff.

<sup>4</sup> Printed by Eckermann, *Studien zur Geschichte des monarchischen Gedankens im 15. Jahrhundert* (Berlin-Grünwald 1933), pp. 161-8; Grabmann, "Studien über den Einfluss der Aristotelischen Philosophie auf die mittelalterlichen Theorien über das Verhältniss von Kirche und Staat", in *Sonderband der bayrischen Akademie, philosophisch-historische Abteilung*, II, 1934 (Munich 1934), pp. 134-44, though neither is quite satisfying. There is no up-to-date survey of the controversial literature; Voigt, *Enea Silvio Piccolomini*, VOL. I, pp. 189 ff., is obsolete; B. Ziliotto has published the *Dialogus de papali potestate* by the Minorite Lodovico da Cividale, in *Memorie storiche forogiuliese*, XXXIII (1938), pp. 151-91.

already counterbalances that of its opponents. Most of the former belong to the Dominican Order.<sup>1</sup>

Here also voices must be weighed, not merely counted. Abandonment of the conciliar theory was indeed fostered by the flow of benefices that could be expected from Eugenius IV; but it must be admitted that the opinions of not a few divines who wrote in support of the papal primacy lacked firmness, and many continued to make far-reaching concessions to the conciliar theory. Thus the jurist Piero da Monte in his *Monarchia*, which became celebrated at a later date, borrowed from Zabarella, while in another of his works directed against Tudeschi, he drew upon a treatise by the Dominican Raphael de Pornaxio.<sup>2</sup> Yet the same man, whom the next generation was to regard as a pillar of the Papacy, still grants in the first of these two works that the Power of the Keys has been conferred on the Church, while in the second he only speaks of Peter. Even in the *Repertorium juris* drawn up long after the Council, the reader is startled by the statement that the Pope may render himself guilty of simony. Antonio Roselli, nicknamed *Monarcha juris*, who in 1443 in his capacity of a consistorial advocate had composed the fighting Bull *Deus novit* directed against Basle, upheld in his *Monarchia* the unlimited monarchical authority of the Pope over the bishops and the whole Church. Yet the same man endeavoured to preserve the decree of Constance on the Council's supremacy as an emergency measure. At the same time, true to the Ghibelline tradition of his native city, Arezzo, he defended Dante's notion of the Emperor's universal dominion, with the result that he, an officer of the Curia, shared the poet's fate of getting his name into the index of forbidden books.<sup>3</sup>

These examples show that opinion was still fluid, and that a number

<sup>1</sup> The Dominicans are: Cardinal Giovanni Casanova; Giuliano Tagliada, Bishop of Bosa in Sardinia; Giovanni di Montenero, provincial of Lombardy (on him, see G. Meerseman, *Giovanni di Montenero, difensore dei Mendicanti* (Rome 1938), and Hofmann, *Papato, conciliarismo, patriarcato*, pp. 38-54); and Juan de Torquemada. To the last-named, who is mentioned by Lorenzo of Arezzo, must be added Giovanni Leone de Urbe. He is the author of a treatise *De synodis et ecclesiastica potestate*, cf. G. Meerseman, in *A.F.P.*, ix (1939), pp. 76-85. On the subject as a whole see G. Meerseman, "Les Dominicains présents au concile de Ferrare-Florence jusqu'au décret d'union pour les Grecs", *ibid.*, ix (1939), pp. 62-75.

<sup>2</sup> Haller, *Piero da Monte*, pp. 25\* ff., 61\* ff., but in the light of R. Creytens's researches in *A.F.P.*, xiii (1943), pp. 108-37, the author of the treatise *De potentia papae et concilii generalis* is not Torquemada, under whose name it was indeed published at a later date, but Raphael de Pornaxio; see also Eckermann, *Studien*, pp. 128, 150 and *passim*.

<sup>3</sup> Eckermann, *Studien*, pp. 111 ff., 134 ff. As Haller has pointed out, Eckermann has failed to collate the two editions of the *Monarchia* (*Piero da Monte*, p. 31).

of problems had not been adequately worked out. For all that, the tendency to revert to the monarchical conception of the Church's constitution is unmistakable. However, a large-scale justification of it, one that would impose itself by the force of its logic, appeared only after the schism of Basle had been got out of the way. The Dominican Juan de Torquemada, a theologian of Salamanca like his opponent Juan of Segovia, and rewarded by Eugenius IV with a cardinal's hat in 1439, worked the basic ideas of the speeches and treatises on the Pope's authority, which he had composed during the conflict, into a *Summa de ecclesia* which from the time of its appearance—some time before 1453—became the arsenal of the defenders of papal primacy right up to the Council of Trent.<sup>1</sup> In four books Torquemada expounds the doctrine of the Church—papal primacy, the Councils, schism and heresy. Neither the Church, nor the Council as the advocates of the conciliar theory would have it, but the Pope as Peter's successor is the sole depositary of ecclesiastical authority. It is he who imparts authority both to the bishops and to the Council by the act of convocation, in appointing the president, and by confirming its decrees. The Council is not a representation of all the faithful or of all the various degrees of the hierarchy; it is essentially a gathering of the bishops under the authority of the Pope (III. 5). Hence the Council has no power to judge him unless he were to lapse into heresy. An appeal from the Pope to the Council is inadmissible (III. 47-9).

The well-known decrees of Constance and Basle cannot be alleged against this teaching. The decree *Sacrosancta* was not meant to be a definition of a truth universally binding for all time. Its sole purpose was to remedy an existing crisis when there was no unquestionably legitimate Pope. In point of fact that decree issued from the party of John XXIII and did not receive confirmation from the newly elected pontiff Martin V. In the Bull of Revocation, *Dudum sacrum*, which was extorted from Eugenius IV, as Torquemada learnt from the Pope's own lips, the pontiff sanctioned the continuation of the Council of Basle, but not the renewal of the decree concerning the superiority of the Council, which accordingly was no longer binding (II. 99-100).

<sup>1</sup> In the incunabulum (Hain, No. 15730) which I have used the title is: *Summa contra impugnatores potestatis summi pontificis ac Petri Apostolorum principis*. The folios are not numbered and I quote according to book and chapter. S. Lederer, *Der Spanische Kardinal Johann von Torquemada* (Freiburg 1879), is no longer adequate. A good preliminary study for an understanding of the MS is supplied by J. M. Garrastachú, "Los manuscritos del Card. Torquemada en la Biblioteca Vaticana", in *Ciencia Tomista*, XXII (1930), pp. 188-217, 291-322. For Torquemada's explanations at Nuremberg and Mainz see Hofmann, *Papato, conciliarismo, patriarcato*, pp. 9-30.



In this way Torquemada brushes aside the entire ecclesiastical theory of the Schism and the reform Councils. He unreservedly rejects the teaching of the new masters—*magistri novelli*—from Ockham to Gerson. Since he had taken part in both reform Councils, he was keenly aware of the dangers of ecclesiastical democracy: “God preserve the Church”, he exclaims, “from mob domination or indirect domination by the secular princes, as a result of the extension to the lower orders of the hierarchy of the right to vote in Council. . . . With sorrow in my heart I have been an eye-witness of the shameful doings at the Council of Basle: there could be no greater danger for the faith and for peace and unity in the Church” (III. 14).

The Council a danger to the peace and unity of the Church! Such was the watchword Torquemada coined for use by the Popes of the period of the restoration, who were quite prepared to adopt his view that the decrees of Constance were no longer binding. Their theological advisers and defenders, such as Sánchez de Arevalo, Domenico de’ Domenichi and Henricus Institoris, were to darken still further the shadow that fell from Torquemada’s verdict not only upon the conciliar theory but upon the very idea of a Council. Although the *Summa* was not widely disseminated outside Italy, it was nevertheless the source from which the arguments of almost all those writers who, in the course of the following century, defended the Papacy against the supporters of the conciliar theory and against Gallicanism were drawn.<sup>1</sup> At the approach of the last period of the Council of Trent the work was re-printed, obviously for the purpose of the Council.<sup>2</sup>

However, it would be a mistake to see in Torquemada a blind absolutist and an opponent of the Council as such: for one thing he was too near to the agitated period of the Schism. He continues to

<sup>1</sup> Torquemada’s influence on the writers of the period of the papal restoration could only be adequately assessed by writing their history. A few observations must suffice. It was natural that Dominicans like Prierias (*Summa summarii*, VOL. I, p. 7; VOL. II, p. 4) and Cajetan, *De comparatione papae et concilii*, chapters 8, 9, 12 and *passim*, would appeal to him, but even canonists of repute, e.g. Sangiorgio (*Lectura super 101 distinctionibus* (Rome 1493), distinctio xv, Nos. 12, 14) and Jacobazzi rely on him and quote him as “Cardinalis”, a title by which Zabarella is usually designated. At the time of the Pisan attempt Pietro Quirini based on him the whole of his *Tractatus super concilium generale* (published by Mittarelli-Costadoni in *Annales Camald.*, VOL. IX, Venice 1773, pp. 599-611) as did Bartolomeo Guidiccioni in 1535 in his treatise *De concilio* for Paul III; cf. my observations in *Rivista di storia della Chiesa in Italia*, II (1948), pp. 39 ff.

<sup>2</sup> In the preface addressed to Pius IV, Cardinal Vitellozzo writes: “Liber ipse multis abhinc annis semel impressus, aut nusquam aut raro invenitur.” He was evidently not acquainted with Hain Nos. 15731 ff.

regard the Council as "the Church's last refuge in all her great needs", as the ultimate authority to which it belongs to issue decisions in disputed questions of faith, to reform the pastoral ministry, and to check the arbitrariness of certain Popes.<sup>1</sup> True, the decree *Frequens* did not bind the successors of Martin V. Even in the early centuries General Councils were of rare occurrence. On the other hand it was possible to escape the reproach that the fate of the Church was at the mercy of the arbitrary power of one man by convening papal Councils to which the bishops of several provinces, or even of only one, would be called (III. 16-18). Moreover the College of Cardinals, which in Torquemada's opinion is the successor of the Apostolic College and is by him traced back to Christ's own ordinance (I. 80-4), in its capacity of supreme senate of the Church, and as part, so to speak, of the Pope's very body—*pars corporis Papae*—has a share in the exercise of the supreme authority. Though the Pope is not bound by the decrees of the Councils, and may dispense with them, or even abolish them, honour—*honestas*—binds him to their observance (III. 51-7). Torquemada was evidently familiar with all the problems of supremacy.

There is one important gap in the *Summa de Ecclesia*: the question of reform is passed over in almost complete silence. The adherents of the conciliar theory had had for their object Church unity and Church reform by means of the Council. The former purpose had been attained, but not the latter. The decrees *Sacrosancta* and *Frequens*, which were meant to initiate and to ensure a reform of the Curia, remained a dead letter: the Popes reverted to the strict monarchical principle. By so doing they likewise assumed the task of reforming the Church. Was it not the duty, therefore, of the most distinguished exponent of the doctrine of papal authority to point out to those invested with it the heavy responsibility that was theirs?

There is no question at this day but that for his own person Torquemada exerted himself to the utmost, within his own circle, on behalf of reform.<sup>2</sup> For all that, one might have expected that like his fellow-

<sup>1</sup> *Summa*, VOL. III, p. 10. It is a significant fact that Torquemada should appeal to *Frequens* in connexion with the pastoral purpose of the Councils: "ad culturam agri dominici, ut canon concilii Constantiensis dicit *Frequens*".

<sup>2</sup> Ch. Gremper, "Des Kardinals Johannes de Turrecremata Kommentar zur Regel des hl. Benedikt", in *Studien und Mitteilungen aus dem Benediktiner und Zisterzienser Orden*, XLV (1927), pp. 223-83; Beltrán de Heredia, "Colección de documentos inéditos para ilustrar la vida del Card. J. de Turrecremata", in *A.F.P.*, VII (1937), pp. 210-45, referring for the most part to San Benito of Valladolid. For Torquemada's views on the secular power see H. Jedin, "Johannes de Turrecremata und das Imperium Romanum", in *A.F.P.*, XII (1942), pp. 247-78.

Dominican, Antonino of Florence, he would have thrown his weight into the scales as a theologian and as a cardinal in favour of the reform which it was the duty of the Popes of the restoration to carry through. But of such an attempt there is no trace in the *Summa*.

Torquemada lived long enough to witness the wonderful ascendancy which the Papacy gained from the middle of the century onwards. It allied itself with the Renaissance, which made Rome the centre of the arts and culture; by a new organisation of the Papal States both its finances and its authority were laid on a sufficiently solid basis to secure its political independence. At the same time it developed its system of ecclesiastical officialdom beyond anything ever seen previous to the reform Councils. The series of pontiffs from Nicholas V to Leo X, even though distinguished by only one outstanding personality, is resplendent with the lustre which the word "Renaissance" sheds upon it.

It is the painful duty of Church history to point to the sombre, fateful shadows which are easily overlooked by writers whose sole concern is with the arts or even with political history. The conciliar theory was defeated, but its spirit was far from crushed. It survived side by side with the theology of papal primacy, which many brushed aside as a piece of fawning adulation. The demand for a great reform Council was not disposed of because a general reform of the Church, in spite of various starts, remained an unsatisfied aspiration. Actually the extension of curial officialdom, through the continual establishment of new categories of offices and posts that could be bought, and a fiscal policy which had become ever more exacting, especially since Sixtus IV, only increased the general dissatisfaction with the whole system of the Curia. Thus was born that anti-Roman feeling which was to play so incalculable a role in the break-up of Christian unity, and which made it difficult, even at Trent, to arrive at an understanding. The Popes' entanglement in Italian territorial politics hampered their spiritual action and created for them political opponents who were always ready with a threat of Council and reform. The abuses of nepotism and personal government impelled even the College of Cardinals to fight for a share in government by means of election capitulations. Canonists discussed the question how the Church and the States of the Church could be guarded against absolutism.

About the shortcomings of the Church there was substantial agreement, though not on the nature of the remedy. It almost seemed as if the disease would become chronic. At the turn of the century the tension became even more acute. The Church had to endure the

pontificate of Alexander VI and to realise, as never before, the difference between theory and practice, between person and office; it also heard the preaching of Savonarola. The idea of the Council, as well as the conciliar theory, came once more to the surface and once again the hope of a comprehensive and thorough reform came to be associated with them. Neither the Gallican assembly of Pisa nor the fifth Council of the Lateran fulfilled these expectations. However, silently and out of man's sight, the Catholic reform was putting forth its shoots—nor were they the first, for at no time was the Church of the late Middle Ages unconscious of the fact that interior recollection, penance, a return to the ancient ideals of the priestly and the monastic life were the core of any reform. The shoots had not as yet come to light, and the Catholic reform had not yet sufficient strength to master both Church and Papacy, when the catastrophe supervened. It was the rupture of Christian unity that opened the way for the Tridentine renewal of the Church. The road thus opened it is now our business to tread.

## CHAPTER II

### Survival of Conciliar Theory

A MEMORIAL drawn up in the year 1442 by a partisan of Basle, and aimed at Eugenius IV, asserts that "nearly all Christians hold the Council of Constance's teaching concerning the authority of the Council as true and Catholic; this is above all the opinion of scholars within and without the universities".<sup>1</sup> The claim is undoubtedly an exaggeration. What is certain is that both the strict conciliar theory and its moderate episcopal version continued to find exponents, and that the threat of the Council and the appeal to it were widely used as a means of bringing pressure to bear on the Popes. However, the real inner force of the idea of the Council lies neither in the conciliar theory nor in its misuse by the diplomatists, but in the widespread longing for a great Council invested with the requisite authority for carrying out a reform.

Gallican France was the real stronghold of the strict conciliar theory and the University of Paris its citadel. Ruthless treatment was meted out to any scholar who presumed to tamper with it. On the occasion of the graduation of a Cistercian, the Dominican John Munerii defended the thesis that the Apostles and the disciples had not received their powers immediately from Christ, but only mediately, through St Peter. He was at once called to order by the chancellor and the sub-dean of the theological faculty. On 17 August 1470 the latter compelled Munerii to make a recantation.<sup>2</sup> It goes without saying that the person

<sup>1</sup> *R.T.A.*, VOL. XVI, p. 581. In his *Germania* (1458) Piccolomini writes that in Germany all who are "paululum docti" are also adherents of the Council, *Opera*, p. 1037. The difficulties of the times made it impossible for me to examine such manuscripts and archives as are outside Rome, though they are indispensable for an exhaustive treatment of the subject. All I could do was to study the chief manifestations of the conciliar idea between the Councils of Basle and the Lateran—manifestations that are of the greatest consequence for the story of Trent—with the help of such printed and manuscript sources as were at my disposal. For this reason I must leave it to other pens to draw a complete picture of a period which has been described as "the most important, perhaps, in the history of conciliar thought" (J. Hashagen, *Staat und Kirche vor der Reformation* (Essen 1931), p. 98). I trust, however, that I have got beyond Hashagen's data, *op. cit.*, pp. 107-10, and in *Historische Vierteljahrsschrift*, XXIII (1926), pp. 330 ff., as well as Stoecklin's stimulating paper, "Das Ende der mittelalterlichen Konzilsbewegung", in *Zeitschrift für schweizerische Kirchengeschichte*, XXXVII (1943), pp. 8-30.

<sup>2</sup> Duplessis d'Argentré, *Coll. iud.*, VOL. I, ii (Paris 1724), pp. 256 ff.

the Faculty wished to hit was not merely the humble preaching friar but his great fellow-Dominican, the recently deceased Cardinal Torquemada. On 5 February 1483 the Faculty censured several statements made by John Angeli, a Friar Minor, in the course of a sermon preached at Tournai. It must be admitted that the friar's explanation of the Pope's fulness of power was couched in particularly provocative terms. Among other things he asserted that the Pope could abolish the entire Canon Law and replace it by a new one; anyone who opposed the Pope's will was a pagan and was *ipso facto* excommunicated; no one might find fault with the Pope unless he were to fall into heresy. The first assertion the Faculty characterised as "scandalous, blasphemous and definitely heretical", while the other two were described as "false, scandalous and suspect of heresy".<sup>1</sup> A year later the following theses were said to have been maintained by Maître Jean Laillier: "Peter has received no authority from Christ over the rest of the Apostles, nor has he been given the primacy; if you insist that I speak of the Pope, I shall pull down everything; the decrees and decretals of the Popes are a pure forgery." On this occasion the Faculty refrained from proceeding against the offender, probably because in the disputation in question, held on 30 July 1484, Laillier had not actually formulated his propositions in these terms. None of them were embodied in the nine theses for which Maître Jean was eventually condemned.<sup>2</sup> It is clear that the Faculty deemed it its duty not so much to safeguard the doctrine of the Pope's primacy as to make a stand against Torquemada's papalist theory.

On the other hand, it took up the defence of the notorious decrees of Constance and Basle. When, on 11 January 1497, the King put to it the question whether the decree *Frequens* was still valid, its answer was a decided affirmative.<sup>3</sup> On 15 March 1508 it proceeded against Maître Jacques Dumoulin, who, in his *Vesperiae*, had expounded Torquemada's opinion that the decree of Constance on the Council's superiority over the Pope was invalid on the ground that it had not been issued by an undoubted General Council. Dumoulin was compelled to subscribe to the following propositions which run counter to Torquemada's teaching: "The Council is the full and adequate representation of the Church and holds its authority from Christ; it has the power to depose the Pope not only for heresy, but for other reasons also. Everybody

<sup>1</sup> *Ibid.*, p. 305.

<sup>2</sup> *Ibid.*, p. 308.

<sup>3</sup> *Ibid.*, p. 335 f.

is bound to obey the Council in all that concerns faith and morals and reform, for the most holy and undoubted Council of Constance as well as the Council of Basle have defined that this is Catholic teaching.”<sup>1</sup>

It was in keeping with these principles that in the autumn of 1511 the University sent representatives to the Gallican *conciliabulum* of Pisa; only at the beginning of 1513 when that rump Council, by then transferred to Lyons, had obviously to be written off as a failure scarcely deserving the name of a Council, did the dean and seventeen masters, against eighteen or nineteen opponents, prevail on the University to dissuade the King from further support of that venture.<sup>2</sup> With a view to avoiding an open conflict with the Pope, the Faculty, though requested to condemn the writings in which Cajetan, the General of the Dominicans, attacked the conciliar theory, put off compliance with the demand, although it had no intention of abandoning its principle. The Dominicans of Saint-Jacques and a handful of Spanish masters stood out for the dogma of the Roman primacy, but they were a minority while the two men who defended Pisa with their pens, Major and Almain, spoke for the bulk of the University.<sup>3</sup>

The German universities were less uniformly and consistently favourable to the conciliar theory than the University of Paris.<sup>4</sup> During the struggle for neutrality some of them had boldly sided with Basle, for instance Erfurt and Vienna<sup>5</sup>; others had at least accepted the principle of the Council's superiority, amongst them Cologne.<sup>6</sup> “Just as bread and water are necessary to maintain human life,” Vienna wrote, “so does the welfare of the Church militant require the untrammelled authority of the Councils. How is the confusion that has arisen in the Church to be dealt with? Above all how are the encroachments of some Popes to be checked—if there is none higher than they

<sup>1</sup> A. Clerval, *Registre des procès-verbaux de la Faculté de Théologie de Paris*, vol. 1 (Paris 1917), p. 38 f.

<sup>2</sup> *Ibid.*, p. 122 f.

<sup>3</sup> R. G. Villoslada, *La Universidad de Paris durante los estudios de Francisco de Vitoria 1507-1522* (Rome 1938), pp. 92, 156 f., 172 f.

<sup>4</sup> For what follows, see H. Bressler, *Die Stellung der deutschen Universitäten zum Basler Konzil, zum Schisma und zur deutschen Neutralität* (Leipzig 1885); G. Kaufmann, *Geschichte der deutschen Universitäten*, vol. II (Stuttgart 1896), pp. 442-68. Both these works need to be supplemented by further research.

<sup>5</sup> *R.T.A.*, vol. XV, pp. 434-47; vol. XVI, pp. 289-92; Segovia, *Mon. conc. gen.*, vol. III, p. 536, quotes only an extract from the Leipzig memorial.

<sup>6</sup> *R.T.A.*, vol. XV, pp. 462-7. To this period belongs the conciliarist *Tractatus super neutralitate principum per quemdam fratrem ord. Carthusiensis apud Coloniam s. theologiae professorem compilatus a.d. 1440*, Vat. Lib., Reg. lat. 1020, fols. 199<sup>v</sup>-212<sup>r</sup>.

on earth and if they acknowledge no judge—except by means of the Council?”<sup>1</sup>

Theologically soundest is the extensive memorial of the University of Cracow drawn up in March 1442.<sup>2</sup> “The decrees of Constance”, we read in that document, “are a warning to the Church and must be regarded as such in time to come. They must be kept inviolably, even by the Pope.” In view of its favourable attitude to the conciliar theory, Cracow was honoured by the University of Paris, under date of 16 March 1444, with a eulogy in which stress was laid on the struggle. If the Council of Basle were defeated, it said, little hope would remain that any Councils would be held in our days and perhaps in the future as well; their authority would be shaken, perhaps for ever, and what was won at Constance, Siena and Basle would be thrown away.<sup>3</sup>

The University of Heidelberg is the only one from which not a single expression in support of Basle has come down to us. Actually, one of its professors, Master Rudolph of Seeland, sharply criticised that assembly in a disputation—probably of the year 1442—and upheld the Pope’s unqualified superiority over it.<sup>4</sup>

At Cologne also Eugenius IV was not without adherents. In 1435, Heimerich von Kampen, who had represented the University at the Council, went to Louvain, where he took his stand with the bishop of that city in support of Eugenius IV. In 1445 Godfrey Milter of Roermond, Dean of the Faculty of Arts, presented a treatise on the question of authority to Nicholas of Cusa, who had become a supporter of Eugenius IV. The Dominican Henry Kalteisen and the Franciscan Henry of Werl likewise went over to the party of Eugenius IV.<sup>5</sup>

The fact remains, however, that the old universities north of the Alps favoured the conciliar theory and continued to do so until the political collapse of 1448 compelled them to drop the cause of Basle. Cologne’s action, which we know from the lively account of Sebastian de Viseto, is very significant.<sup>6</sup> The University insisted that, without

<sup>1</sup> *R.T.A.*, VOL. XVI, p. 291.

<sup>2</sup> C. E. Bulaeus, *Historia Universitatis Parisiensis* (Paris 1665-73), VOL. V, pp. 479-517, especially pp. 500, 507.

<sup>3</sup> *Codex dipl. universitatis Cracoviensis*, VOL. II (Cracow 1873), p. 32 f.

<sup>4</sup> G. Ritter, *Die Heidelberger Universität*, VOL. I, pp. 308 ff., 314 ff.

<sup>5</sup> H. Keussen, “Die Stellung der Universität Köln im grossen Schisma und zu den Reformkonzilien”, in *Annalen des Historischen Vereins für den Niederrhein*, CXV (1929), pp. 225-54.

<sup>6</sup> Kaufmann, *Geschichte der deutschen Universitäten*, VOL. II, pp. 89-92.



prejudice to its submission to Pope Eugenius IV, it regarded the decrees of Constance and Basle concerning the authority of the Councils as binding in law.<sup>1</sup> The University of Cracow identified itself with the opinions expressed by the Universities of Paris, Vienna, Leipzig, Erfurt and Cologne previous to its recognition, after prolonged hesitation, of Nicholas V, on 3 July 1449. Erfurt curtly stated that they had nothing to add to their previous declarations. Leipzig announced its submission, as did Cologne, in a rather subdued fashion, with the observation that there could be no question but that a legitimately convened General Council derived its authority directly from Christ and was accordingly entitled to demand submission even from the Pope, within the limits defined at Constance.<sup>2</sup> Vienna declined to commit itself, yet Thomas Ebendorfer, the outstanding figure of the University at that moment, found it very hard to induce his colleagues to take part in the reception of the papal legate Carvajal. Most of the professors only gave way after protesting that their participation must not in any way prejudice the authority of the Councils.<sup>3</sup> Presently—in 1452—the Viennese professors gave their support to the rebellious Austrians' appeal from the papal *Monitorium* to a Council; as a matter of fact Aeneas Silvius suspected them of being its instigators.<sup>4</sup> Ten years later the University supported a similar appeal by Duke Albrecht VI from the censures imposed on Frederick's opponent by Pius II.<sup>5</sup> On 23 October 1492 Master John Kaltenmarkter, after his absolution in Rome by Cardinal Oliviero Carafa and Cardinal George of Lisbon, was ordered to make the following declaration: "I disavow without any reservation whatsoever the following propositions, namely that the Council is above the Pope; that the Pope may not invalidate a decision of a General Council."<sup>6</sup> It should be noted that the University only moved in the matter at Rome's command and that the recantation refers only to an unqualified assertion of the above propositions, so that the door was left open for a qualified formulation of them. Indeed, even in 1508 one of the assistant clergy at the parish church of St Michael in

<sup>1</sup> Cologne to Cracow, 17 September 1448, F. J. Bianco, *Geschichte der alten Universität Köln*, vol. I, ii (Cologne 1855), pp. 242 ff.; *Codex dipl. universitatis Cracoviensis*, vol. II, pp. 86 ff.

<sup>2</sup> *Codex dipl. universitatis Cracoviensis*, vol. II, p. 94.

<sup>3</sup> J. Aschbach, *Geschichte der Wiener Universität*, vol. I (Vienna 1865), pp. 278 ff.; Bressler, *Die Stellung der deutschen Universitäten*, pp. 72 ff.

<sup>4</sup> *Historia rerum Friderici tertii imperatoris* (Strasbourg 1685), p. 101.

<sup>5</sup> Aschbach, *Geschichte der Wiener Universität*, vol. I, p. 236 f.

<sup>6</sup> R. Kink, *Geschichte der kaiserlichen Universität Wien*, vol. I, ii (Vienna 1854), p. 26.

Vienna was still voicing the opinions of Kaltenmarkter in the pulpit.<sup>1</sup> When, in 1459, the Carthusian Vincent of Aggsbach observed that Eugenius IV and his successors had persuaded almost all scholars to abandon the conciliar theory and had succeeded in drawing them to their side,<sup>2</sup> there was this much truth in the assertion that the theologians of the German universities on the whole yielded to external pressure and in course of time became increasingly favourable to the papal restoration.<sup>3</sup> At the same time we must insist that the supporters of the conciliar theory changed their attitude only by slow degrees. As a rule the delicate question of authority was evaded, and even in the case of so decided and at the same time so influential an advocate of the doctrine of the primacy as Gabriel Biel we are aware of a certain reserve.

As early as the year 1462, this divine of the University of Tübingen had championed the papal standpoint in the dispute over the See of Mainz, and in his widely read *Explanation of the Canon of the Mass*, written in 1488, he openly expounded the doctrine of the Roman primacy.<sup>4</sup> "The Pope", he wrote, "is invested with supreme authority and is the bishop of bishops. These derive their authority from him." He refrains from discussing the authority of the Council. On the other hand, he does not belong to Torquemada's retinue. We are sufficiently cautioned against viewing him in that light by his assertion that the Pope is *caput ministeriale* of the Church. Peter's dignity is not

<sup>1</sup> Th. Wiedemann, *Geschichte der Reformation und Gegenreformation im Lande unter der Enns*, VOL. I (Prague 1879), pp. 1-4.

<sup>2</sup> Pez-Hueber, *Thesaurus anecd.*, VOL. V, iii (Augsburg 1729), p. 335.

<sup>3</sup> G. Ritter, "Romantische und revolutionäre Elemente in der deutschen Theologie am Vorabend der Reformation", in *Deutsche Vierteljahrsschrift für Literaturwissenschaft und Geistesgeschichte*, v (1927), pp. 342-80. However, Ritter's assertion that the papal hierarchy "found no more loyal defenders than the German scholastics of the pre-reformation era" (p. 353), needs some qualification. Of the University of Louvain, founded in 1432, H. de Jongh, *L'Ancienne Faculté de théologie de Louvain* (Louvain 1911), p. 89, says that there was in it "nulle trace de doctrines conciliaires". A. M. Lanz, "L'autorità e l'infallibilità del Papa nella dottrina Lovaniese del secolo XVI", in *Gregorianum*, xxiii (1942), pp. 348-74, sought to refute Baius's claim that his opinion, that is, that the Pope is not "episcopus universalis" and that he only teaches unerringly when he speaks in conjunction with the Council, or at least "col consiglio di molti", had been taught at Louvain for a period of eighty years. To this end Lanz draws on Driedo, Latomus, Pighius, Tapper and others, but the greatest difficulties arise precisely from the most important author of all, viz. Adrian VI; see also below, p. 65, n. 3.

<sup>4</sup> *Expositio canonis missae* (Venice 1505) lect. 23, fols. 43<sup>r</sup>-46<sup>v</sup>; cf. Haller, *Die Anfänge der Universität Tübingen*, VOL. I (Stuttgart 1927), pp. 153-72; VOL. II (*ibid.*, 1929), pp. 54-64; as for the circulation, see *Gesamtkatalog der Wiegendrucke* (Leipzig 1925 f.), Nos. 4332-6; Panzer, *Annales typographici* (Nuremberg 1793-1803), VOL. X, p. 173 (up to 1527 there were eleven editions).

exclusively based on the pre-eminence—*praelatio*—bestowed on him, it is also founded on his virtues. “What a difference between him”, he observes, “and the manners and the ostentation of his successors!” So even this divine, who did so much to promote the doctrine of the primacy in Germany, may not be unreservedly reckoned among the men who led the papal theory to victory in the German universities of the pre-Reformation era. On the other hand, the last word on this point can only be spoken after a fuller examination of the manuscript material bearing on the subject.

In the summer of 1482 three professors of Basle drew up as many memorials on Zamometič's attempted Council. These documents, which were destined for the City Council, constitute an instructive cross-section of the views on the nature of the Council then prevailing in the German universities.<sup>1</sup>

While on the one hand John Siber, the professor of dogmatic theology, explained that there was no question but that the Pope was above the Council, had authority to call it, and was only subject to it in the event of his falling into heresy, the canonist Ulrich Surgant was no less emphatic in his support of the Council. Should the Pope neglect to summon a reform Council or should he himself be blame-worthy then, in Surgant's opinion, it may be convoked by the cardinals, by the Emperor, or even by a single individual bishop. In point of fact, the Pope may not hinder whatever is done for the good of the universal Church; hence he is subordinate to it.<sup>2</sup> The third of the trio, who remains anonymous, observes a cautious reserve, though his sympathies are with the Council. He may be regarded as the prototype of the opportunists, of whom there were many.

It is easy to account for Siber's and Surgant's attitude if we remember their respective spiritual homes. The former was a graduate of Heidelberg, a university devoted to the Papacy, so much so indeed that in 1462 it could boast of the support it had given to the Pope during the whole period of the Councils. At this time too it unreservedly condemned Zamometič's plan. Surgant, on the other hand, had studied in Paris. If we may believe a contemporary witness, Zamometič's theses on the authority of the Council, of which more will be said later, were approved not only by the University of Paris, but also by those of Louvain, Cologne, Erfurt, Cracow and Vienna.<sup>3</sup>

<sup>1</sup> J. Schlecht, *Zamometič*, pp. 118-24.

<sup>2</sup> St. Arch., Basle, Politisches Heft III, fol. 16 f.

<sup>3</sup> Schlecht, *Zamometič*, p. 65.

It may be true that the conciliar theory never struck deep roots in Italy during the period of the reform Councils, nor became as widespread as in France and Germany; yet even in that country it was not wholly inoperative. Its nurseries, however, were not the chairs of theology, which were almost exclusively occupied by mendicant friars, but those of canonists and jurists, more particularly at Padua and Pavia. This state of affairs was due to the prestige of men like Zabarella, Tudeschi, Pontano and other outstanding personalities of the period of the Schism. Even some of the officials of the Curia did not wholly escape its influence, as will be seen by an example we shall have to discuss later on. All this helps us to understand why the *conciliabulum* of Pisa in 1511 experienced but little difficulty in finding two Italian jurists ready to justify its conduct. They were Philip Decius and Jerome Boticellus. In his *Apologia*, Zaccaria Ferreri of Vicenza, a secretary of the Council, definitely adopted the standpoint of the conciliar theory.<sup>1</sup> At this time too Matthias Ugoni, Bishop of Famagusta and auxiliary to the Bishop of Brescia, a man who had studied at Padua, defended the decrees *Sacrosancta* and *Frequens* of Constance against Torquemada. The Councils, he maintained, are the nerves and sinews of ecclesiastical discipline.<sup>2</sup> In the person of the Bolognese jurist Giovanni Gozzadini the conciliar theory found its way into the very court of Julius II. In his work on the papal election, completed in 1511, in which Gerson's influence makes itself strongly felt, he preached the doctrine of the superiority of the Council and described the relevant decrees of Constance and Basle as so many articles of faith. In his opinion the decree *Frequens*, as it stands, is binding for all time and could only be altered by another Council. In view of the ignorance and worldliness of the bishops it would be necessary, when the reform Council came to be convened, to admit and to empower to vote, doctors, simple priests and suitable laymen, as was done at Constance and Basle. The first and most important duty of this Council would be a reform of the Church in head and members.<sup>3</sup>

Gozzadini's work is anything but an academic treatise. It is an impassioned appeal for a reform, a Cassandra's warning to the Popes of the Renaissance. "Scarcely ten bishops would be equal, at this day,

<sup>1</sup> The apologia is in Goldast, *Monarchia*, VOL. II, pp. 1653-65; Decius's memorial, *ibid.*, pp. 1667-76.

<sup>2</sup> M. Ugonius, *De conciliis (sine loco*, 1532), fols. 28 ff., 97 ff.

<sup>3</sup> For particulars see my paper: "Giovanni Gozzadini, ein Konziliarist am Hofe Julius II", in *R.Q.*, XLVII (1939), pp. 193-267.

to the demands of a General Council"; he writes, "unless we take thought and reform a just God will himself exact terrible vengeance, and that before long!" His faith in the triumph of the idea of the Council and of Church reform is unshaken: "Is it not written that the gates of hell shall not prevail against it, that is, against the Church?"

A little more than a decade earlier Savonarola had preached penance and conversion and prophesied imminent disaster. Was he too a partisan of the conciliar theory? No! Savonarola was a Thomist and a strict adherent of the doctrine of papal supremacy. For all that, in March 1498, even he entertained for a moment the idea of summoning a Council with the assistance of the Emperor and the Christian princes, for the purpose of calling Alexander VI to account.<sup>1</sup> He justified his plan for a Council by an appeal to the old, classical case which all papalists regarded as a valid reason for summoning a Council without the intervention of the Pope: "The Pope is no longer a Christian, he is an infidel, a heretic. As such he has ceased to be Pope." In these circumstances the Council's duty is to establish the fact and to initiate the election of a successor. Not a trace of the conciliar theory, yet a Council is planned!

Savonarola's famous letters to princes never got beyond the stage of mere projects. He never made a serious attempt to summon a Council in the hope of averting his own fate with its help. Nevertheless these rough drafts show that in the heat of the struggle for a reform even a Thomist wholly immune from the conciliar theory could fall back on a solution by means of a Council.<sup>2</sup>

In the late autumn of the same year 1498 two envoys of the King of Portugal arrived in Rome for the purpose of remonstrating with Alexander VI on his personal conduct, his nepotism, and the simoniacal practices that went on under his very eyes. They hinted that he ran the risk of being called to account before a Council.<sup>3</sup> The Catholic

<sup>1</sup> R. Ridolfi, *Le lettere di G. Savonarola* (Florence 1933), pp. 205-11; cf. Hurtaud, "Lettres de Savonarola aux princes chrétiens pour la réunion d'un concile", in *Revue thomiste*, VII (1899), pp. 631-74; J. Schnitzer, *Quellen und Forschungen zur Geschichte Savonarolas*, (Munich 1902 f.), vol. II, pp. 735 ff.

<sup>2</sup> J. Schnitzer, "Die Flugschriftenliteratur für und wider Savonarola", in *Festgabe K. Th. von Heigel* (Munich 1903), pp. 196-235, especially p. 208. Conciliarist views appear for the first time in one of Savonarola's apologists—the Minorite Paolo da Fucecchio.

<sup>3</sup> Ascanio Sforza to the Duke of Milan, 3 December 1498, in *Bollettino storico della Svizzera italiana*, VII (1885), pp. 202 ff. Summary of the same despatch, wrongly dated 3 September 1499, in *Notizenblatt zum Archiv für österreichische Geschichte*, VII (1857), p. 54 f.

Kings also threatened to convene a Council.<sup>1</sup> Was the Iberian peninsula also infected with the spirit of the conciliar theory?

By no means. As far as we know, at the turn of the fifteenth century it found scarcely any adherents in the peninsula, and the most resolute defenders of the papal theory at the Curia—men like Torquemada and Arevalo—were of Spanish origin. But even in Spain the question of reform included the idea of a Council. However, as soon as it was taken up, the question which had been discussed during the reform Councils<sup>2</sup> arose anew: By what means could the decrees of the future reform Council be insured against abolition by contrary papal decrees, or against their being rendered inoperative by means of dispensations?

Peter of Osma's Gallican answer that the Pope had no power to dispense from the decrees of the universal Church, in other words that he was bound by them, was condemned by an assembly of theologians, at Alcalá, on 24 May 1479.<sup>3</sup> The ecclesiastical-political advisers of Ferdinand the Catholic sought and found another solution, one in which we see the first symptoms of the proud episcopalism, deeply charged with national feeling, of the men who later on were to represent Spain at the Council of Trent. In view of the nearness of the forthcoming fifth Lateran Council, they proposed that that assembly should ordain that the ordinaries were empowered to examine the grounds of every papal dispensation. If these did not correspond with facts, or if they were unjust, the bishops should have authority to stay their execution. A further decree should make it an obligation for the Pope to summon a Council every five years; should he fail to do so, the cardinals must do it in his stead. At his accession every Pope must be made to swear observance of these two decrees.<sup>4</sup>

The Spaniards were not interested in the question of authority as such. Their sole concern was the practical problem of making sure that the reform Councils would be convened at frequent intervals and their decrees carried into effect. What they thought and what they wanted was thus summed up by a Spanish bishop: "If we do not make sure that the decrees of the Council cannot be altered by the mere will of the

<sup>1</sup> Sanudo, *Diarii*, VOL. II, p. 279.

<sup>2</sup> For instance, the French proposals for a reform, at Siena, in 1423, *Mon. conc. gen.*, VOL. I, pp. 32, 35; an Italian Benedictine abbot's memorial in 1432, *Conc. Bas.*, VOL. VIII, pp. 34, 36. A solution in a strictly conciliarist sense by means of a *decretum irritans* was opposed by the Bishop of Cadiz, *ibid.*, VOL. I, p. 111.

<sup>3</sup> Duplessis d'Argentré, *Coll. iud.*, VOL. I, ii, p. 298; F. Stegmüller in *R.Q.*, XLIII (1935), p. 244.

<sup>4</sup> Protocol of session held at Burgos, 17 December 1511, in Döllinger, *Beiträge*, VOL. III, pp. 200 ff.

Pope and the cardinals, the Council is useless and our time and money are wasted!"<sup>1</sup>

In the classic land of Catholic reform they wanted Councils to be held at even shorter intervals than those fixed by the decree *Frequens*. They also looked for means by which the Pope could be made to abide by the conciliar decrees, but without raising the question of authority. On the eve of the Council of Trent, Francisco de Vitoria studied the problem once more and passed on the result of his inquiries to those of his pupils who were to attend that assembly.

These Spanish discussions, and men like Savonarola and Gozzadini, make it abundantly clear that the strength of the idea of the Council did not lie in the conciliar theory which, by reason of its origin, was far too closely connected with the period of the Schism: it lay in the anxiety for reform. In their eagerness for a reform of the Church, even men charged with the cure of souls could be seen fighting for the validity of *Frequens* and the reform decrees of Basle. Naturally enough they also wanted the longed-for reform Council to be invested with the requisite authority to enable it to initiate a *reformatio capitis* and to ensure obedience to its decrees. It was no professional conceit, obstinately insisting on the observance of the decrees of Constance and Basle, that inspired them, but sincere solicitude for the welfare of the Church. Were it otherwise, it would be impossible to account for the opposition from this quarter to the reforming activities of Nicholas of Cusa in Germany. The opposition argued as follows: "The Cardinal's reform decrees are in part identical with those of Basle. If they are enforced and accepted as ordinances of the Legate, they are no longer conciliar decrees—the latter's authority is done away with. Moreover a particular reform of this kind injures the unity of the Church. A General Council alone is able to carry out a reform of head and members."<sup>2</sup>

Faith in the miraculous virtue of a General Council obviously blinded these men and prevented them from perceiving the advantages of a practical restoration. It is nevertheless highly significant that in spite of so many disappointments, such a belief endured, and that in circles which undoubtedly strove for what was best for the Church. These circles were the same as those in which Gerson's writings found most readers,<sup>3</sup> circles more interested in practical and mystical piety

<sup>1</sup> Döllinger, *Beiträge*, VOL. III, p. 203.

<sup>2</sup> Text in Walch, *Monimenta medii aevi*, VOL. I, pp. 103-10.

<sup>3</sup> Between 1483 and 1521 nine complete editions of Gerson's works, mostly in four volumes, were published at Cologne, Strasbourg, Basle and Paris; Schwab, *Johannes Gerson* (Würzburg 1858), pp. 786-94.

than in scholastic erudition or in the study of Canon Law. It is a remarkable thing that among them we find a number of men belonging to the strictest and most unworldly of all medieval Orders—the Carthusians.

During the Schism of Basle the Carthusian Bartholomew of Roermond (he died in 1446) gave his unqualified support to the Council.<sup>1</sup> The Venerable Denis Rickel (Denis the Carthusian) had attempted to harmonise the supremacy of the Council in matters of faith and reform with the doctrine of papal primacy.<sup>2</sup> When the question was finally decided, Vincent of Aggsbach, well known as the author of mystical treatises,<sup>3</sup> made an impassioned protest against the conduct of bishops and theologians whom he accused of disloyalty to the cause of the Council: "Can anyone imagine a greater confusion than the present, when so many bishops, masters and doctors from the secular and regular clergy, not only abandon a Catholic truth based on the Gospel, defined by two Councils and proclaimed to all the faithful, which moreover has satisfied the whole of Christendom for a long series of years, but obstinately cling to the opposite opinion and blindly persevere in their error?"<sup>4</sup> The opponents of the Council are made bishops, cardinals, and even Popes—these shafts are aimed at Nicholas of Cusa and at Pius II, the reigning Pope—and one of Eugenius IV's defenders has even been raised to the honours of the altar. Obedience should be denied to the Pope, as at the time of the Schism. In an emergency the bishops and the princes should summon a Council in spite of the Pope's opposition, for it is not right that the wickedness of a small party should be a hindrance to the general good of the Church. An experience of fifty years has taught us that the Roman Curia shrinks from the idea of a Council as from the plague, for it is afraid of being called to account. Hence it is necessary to act without it, and even against it; the ground must be systematically prepared; theologians and universities should have the affair of the Council at heart and begin by clarifying the basic

<sup>1</sup> Vat. Lib., Reg. lat. 1020, fols. 178<sup>r</sup>-196<sup>v</sup>; cf. Ritter, *Die Heidelberger Universität*, VOL. I, p. 315.

<sup>2</sup> Dionysius Carthusianus, *De auctoritate summi pontificis et generalis concilii* (*Opera omnia*, Tournai 1908, VOL. XXXVI, pp. 525-674); the decisive texts are in articles 26-9, pp. 565 ff.

<sup>3</sup> Vincent to Johann von Weilheim, previous to 26 June 1459, Pez-Hueber, *Thesaurus anecd.*, VOL. V, iii, pp. 332-41. For further literary activities see E. Vansteenberghe, "Un écrit de Vincent d'Aggsbach contre Gerson", in *Festgabe Cl. Bäumer* (Münster 1913), pp. 357-64; *id.*, *Autour de la docte ignorance* (Münster 1915), pp. 24 ff., 58 ff., 189-218.

<sup>4</sup> Pez-Hueber, *Thesaurus anecd.*, VOL. V, iii, p. 333.



problem. If this is done, the idea of the Council will be revived and will triumph in the end. A General Council will cleanse, sanctify and reform the Church.<sup>1</sup>

There are passages which give the reader the impression that he is listening to Savonarola or to Luther, so impassioned and so revolutionary is the language of this Carthusian. He is completely under the influence of the conciliar theory. The papal restoration which, on the whole, only brought back the earlier conceptions which had been current before the Schism, appears to him as an error and as a shameful departure from a true conception of the nature of the Church. So much is clear: the great confusion occasioned by the Schism in this sphere was anything but clarified, the spirit of Basle was anything but dead. From the stillness of the Charterhouse there issued a loud call for a Council that would succeed where Constance and Basle had failed. "The reform Councils", wrote Jacob of Jüterbog,<sup>2</sup> "have made it abundantly clear that the doctrine of the Pope's supremacy is only a shield behind which the Italians and their party shelter from reform. Even if the Pope were a man of good will, the resistance which the people around him offer to reform is such that one may boldly affirm that a reform of the Church cannot be brought about by the Pope alone; it needs an effort by the whole Church gathered in Council. Everything must be done to ensure the execution of *Frequens*. By this means the wound inflicted on the Church by Eugenius IV may perhaps be healed."

So wrote Jacob of Jüterbog in 1449, the one-time partisan of Basle, under stress of the collapse of reform and in an apocalyptic mood. He also addressed to the newly elected Pope Nicholas V a memorial on reform. Like Vincent of Aggsbach he felt convinced that the Church was in grievous peril, hence his desire to help and to warn. For his own person he had already found a solution when he resigned his professor's chair at Cracow in 1441 in order to serve God in the stillness of a Carthusian's cell. In point of fact it was in the Charterhouse that the sacred flame of Christian piety and unselfish sacrifice was tended, and it was there too that, before long, it was to leap into a brilliant flame in the Catholic reform.

This apocalyptic frame of mind was greatly strengthened by the

<sup>1</sup> *Ibid.*, p. 336 f.

<sup>2</sup> *De septem statibus ecclesiae in Apocalypsi descriptis et de auctoritate ecclesiae et de eius reformatione*, Goldast, *Monarchia*, VOL. II, pp. 1567-75, especially pp. 1571 ff.; cf. J. Fijalek, *Mistrz Jacob z. Paradyza*, VOL. II (Cracow 1900), pp. 250 ff.

advance of the Turks in the Balkans and by the fall of Constantinople. Both events were widely regarded as a punishment for the sins of the Church. To the existing motives for a Council a new one was now added—the crusade. Urban II's call to Christendom to reconquer the Holy Places, at the Synods of Clermont and Piacenza, came to people's minds. Why should not a Council unite all the forces of Christendom under the banner of the Cross and so defeat the Crescent? Only through a Council, so we read in a tract written at the time of the Christian Congress (*Christentag*) of Ratisbon in 1471,<sup>1</sup> only in a Council can a great expedition against the Turks be got under way; above all only a Council can obtain from the various nations the tenth with which to finance the enterprise; only by this means can peace and confidence be re-established among the Christian princes; failure to bring this to pass would render an undertaking of this kind impossible.<sup>2</sup>

In the next chapter we shall see with what concern the Curia watched the growth of these ideas, and how it sought to refute or to deflect them. The author of the above-mentioned tract also takes it for granted that the Pope and the cardinals do not want a Council<sup>3</sup>; he accordingly seeks to show that the Pope is bound to call a Council both by the election capitulation which he has sworn to observe and by the decree *Frequens*; should he fail to do his duty he would run the risk of meeting with the fate of the last Pope of the period of the Schism. The writer, however, protests that he utters no threat. He is anxious to win over the Pope to his view; he insists that it was in his own best interest to convoke a Council, for by such an act he would silence the rumour that he was afraid of a reform. Then the Curia and the clergy would be reformed, the Pragmatic Sanctions would be done away with, the Church would recover her freedom and the Bohemian problem got out of the way. Meanwhile no one would prevent the Pope from carrying out the necessary reforms of his Curia even before the Council met. By so doing he would take the *reformatio capitis* out of the hands of the Council.

The anonymous writer of Kremsmünster is no supporter of the conciliar theory, nor is he in any way an opponent of the papal restoration;

<sup>1</sup> *Considerationes de concilium (sic!) generalis congregandi utilitate et necessitate*, Abbey Library, Kremsmünster, *consid.* 4, fols. 115<sup>r</sup>-120<sup>v</sup>; cf. H. Schmid, *Catalogus codicum manuscriptorum in bibliotheca Cremifanensis* (Ebenhoesch: Lentii 1877), I, p. 66.

<sup>2</sup> *Considerationes de concilium generalis*, *consid.* 1-8, fols. 115<sup>r</sup>-116<sup>v</sup>.

<sup>3</sup> "Inolevit enim fama quod papa et domini cardinales timeant, odiant, ymmo abhorreant concilia generalia, tamquam non possint facere quod velint si concilium sit congregandum vel de proximo congregandum, et tamquam reformident reformari per ipsa" (fol. 118<sup>r</sup>).

his only aim is to remove Rome's misgivings about the Council. Unlike Vincent of Aggsbach he does not despair of the Pope's willingness to convoke a Council; on the contrary he hopes to persuade him to do so. But should the Pope turn a deaf ear to the demand for a Council there remained yet another possibility. All good bishops and priests are at one in their desire for a Council; but if they see that those whose duty it is to act are not interested, they will look to the Emperor in the hope that help may come from that quarter.

Was it likely that this appeal to the Emperor would be understood? Did the desire for a Council get any support from the Emperor Frederick III, as it had, two generations before, from King Sigismund? Were the higher clergy of the Empire prepared to use their influence in Church and State in favour of Council and reform?

With these questions we have left the world of the lecture-room, the study, and the monk's cell for that of state chancellories and the political arena. If the idea of the Council was a live one we shall surely meet with it here too.

The appeal to the Emperor was in vain. In point of fact Frederick III had made a substantial contribution both to the Pope's triumph over the Council of Basle and to the termination of the Schism. By this action he had put Eugenius IV and Nicholas V under obligation to him, while on the other hand the Papacy was an exceedingly useful support for a politically helpless ruler. For this reason the Emperor sedulously refrained from lending effective support to the demands for a Council, which he knew to be distasteful to Nicholas V and his successors. When, some time before Frederick's coronation in 1452, Aeneas Silvius Piccolomini prayed in his name for a Council to be held in Germany, Rome was well aware that no serious danger threatened from that quarter. Moreover, Piccolomini added that if the Council did come about it would have to abstain from discussing the question of authority, and that, for his part, the Emperor stood by the doctrine of the Pope's universal jurisdiction. The request for a Council in Germany suited the Curia extremely well just then, for it made it possible to decline a simultaneous but far more dangerous demand for a Council in France.<sup>1</sup>

In the course of his second sojourn in Rome, at Christmas 1468,<sup>2</sup> Frederick laid before the Pope a plan for a meeting of princes to be held

<sup>1</sup> Freher-Struve, *Germ. rerum script.*, VOL. II (Strasbourg 1717), pp. 34-8; *Orationes politicae et ecclesiasticae*, ed. J. Mansi (1755), VOL. I, pp. 140-9.

<sup>2</sup> *Commentarii* BK VII, in *Pii II commentarii* (Frankfurt 1614), pp. 440 ff.; see Raynald, *Annales*, a. 1468, No. 46 f.

at Constance for the purpose of dealing with the Turkish problem. In the entourage of the Pope, Cardinal Ammanati relates, they racked their brains to know what could have induced the Emperor to make such a proposal. Were the Venetians behind it? Or was it solely in order to pacify public opinion in Germany? Paul II was annoyed. He expatiated on the futility of such gatherings, and only yielded after the Emperor, with characteristic obstinacy, had renewed and pressed his request at a second consistory. However, the convention was to be held not at Constance but in Rome. More the Pope would not concede and the Emperor was satisfied.

During the pontificate of Sixtus IV, Frederick III indulged for a while in conciliar intrigues with Louis XI of France.<sup>1</sup> His envoy, the versatile George Hessler, even managed, by using the threat of a Council, to induce the Pope to yield in the dispute over the See of Constance.<sup>2</sup> But the papal diplomatic counterstroke was immediate. Sixtus IV was well aware that a conciliar intrigue of Louis XI was a very different thing from a proposal for a Council by the Emperor alone. Such an intrigue might become dangerous if the imperial prestige were thrown in the scales by a real power. By himself, Frederick was too weak; he was also too shrewd to upset his relations with the Pope by a serious agitation for a reform Council. That is why Zamometić, his former favourite, was to experience a bitter disappointment when, perhaps on the strength of some casual remark of his master, he expected Frederick's support for his attempt to call a Council. The Habsburger, unenterprising though he was, nevertheless entertained strong monarchical and dynastic sentiments. Large assemblies such as imperial and provincial diets—hence Councils also—were odious to him. How could such a man, in the face of so many obstacles, bring about on his own initiative a convention of the whole of Christendom such as the Council of Constance had been and a future reform Council promised to become?

It was not the Emperor, but the Estates of the Empire—above all the territorial princes, who constituted the politically active elements,

<sup>1</sup> Our only knowledge of this project is through the counterplan unfolded in Corvinus's intercepted letter to Charles the Bold; see K. Rausch, *Die Burgundische Heirat Maximilians I* (Vienna 1880), pp. 148 ff.; A. P. Segesser, *Die Beziehungen der Schweiz zu Mathias Corvinus 1476-1490* (Lucerne 1860), pp. 72 ff.; A. Bachmann, *Deutsche Reichsgeschichte im Zeitalter Friedrichs III und Maximilians I*, VOL. II (Leipzig 1894), p. 532 f.

<sup>2</sup> *Basler Chroniken*, VOL. III, p. 37. I am unable to accept W. Hollweg's interpretation as given in his book, *Dr. Georg Hessler* (Leipzig 1907), p. 45.

that conducted the ecclesiastical-political struggles of the period. But even in these struggles the idea of a Council only began to play a definite role about the middle of the century. It was then that the *gravamina* in which clergy and laity felt themselves oppressed by the Curia came into the foreground. In the end, personal interests became preponderant. Then there was question only of ecclesiastical tenths, benefices, and episcopal sees; the wider outlook, concern for the world-wide tasks of the Church, was completely lacking.

The demand for a "third Council" which would decide the conflict between Eugenius IV and the assembly of Basle <sup>1</sup>—a demand that had come from various quarters during the Schism—ended in a request for a new Council as soon as peace had been concluded. A German tract of 1451 which voiced a number of complaints, urged a national as well as an œcumenical council for the purpose of a reform of Church and Empire.<sup>2</sup> A memorial written in the following year—and entitled *Agreement between ecclesiastical Princes* <sup>3</sup>—urged the Emperor to follow the precedent set by Sigismund, to press the Pope to give effect to the decree *Frequens*, and above all to fix an early date for the next Council. What we are to think of this suggestion may be gathered from the further observation that by this means the Pope could be made more "amenable and ready" to grant concessions in the ecclesiastical sphere. Such "concessions" were the only concern of these great lords.<sup>4</sup>

When after the fall of Constantinople Calixtus III and Pius II summoned Christendom to war against the Turks and levied a tenth for that purpose, a recrudescence of the demand for a Council might have been expected. But it was otherwise. Inspired by the jurists Gregory Heimburg and Martin Mayr, the Electors' Diet of Frankfurt, in 1456, formulated the *gravamina* of the German nation and pressed for a "pragmatic" which would secure for the Church in Germany the same measure of independence from Rome as that enjoyed by the Church in France. Execution of the decrees of Constance and Basle was one of the measures with which it was intended to counter the papal policy in the sphere of prebends and finances.<sup>5</sup>

<sup>1</sup> Voigt, *Enea Silvio Piccolomini*, VOL. I, p. 392; Haller, in *H.Z.*, CIII (1909), p. 44 f.; *Collecta per D. Sancti Syxti super petitione D. Regis Franciae ut aliud tertium concilium universale celebretur*, in Vat. lat. 4039, fols. 13<sup>r</sup>-16<sup>v</sup>.

<sup>2</sup> Walch, *Monimenta medii aevi*, VOL. I, pp. 103 ff.

<sup>3</sup> Ranke, *Deutsche Geschichte im Zeitalter der Reformation* (Berlin 1839 ff.), VOL. VI, pp. 13 ff.; *id.* VOL. I, p. 38; B. Gebhardt, *Gravamina*, p. 11.

<sup>4</sup> Gebhardt, *Gravamina*, pp. 142 ff.; cf. also pp. 15 ff.

<sup>5</sup> Werminghoff, *Nationalkirchliche Bestrebungen*, pp. 113 ff.; Hefele-Hergenröther, *Conziliengeschichte*, VOL. VIII, p. 90 f.

Cardinal Bessarion's appearance as legate in 1460 further intensified anti-Roman feeling. The papal taxes for the crusade and the annates, the Curia's policy in the bestowal of benefices, together with the other grievances, to which must be added Pius II's proceedings against Sigismund of Tirol and Diether von Isenburg, did much to strengthen the existing opposition. The great anti-papal union of princes which the Archbishop of Mainz succeeded in forming at Nuremberg in 1461 seemed at one moment to make of that union's conflict with the Curia a national concern. They complained that the decrees of Constance and Basle were being set aside and demanded a new General Council.<sup>1</sup> However, two able nuncios, Rudolf of Rudesheim and Francis of Toledo, succeeded in exploding the princes' scheme and by the same stroke they also quashed the project for a Council. Actually the Council played but a very small part in the political schemes of the instigators and spokesmen of the anti-Roman movement of the time, Heimburg and Mayr. Gregory Heimburg, at that time the most bitter enemy of the Papacy on German soil, was in theory a strict upholder of the conciliar theory,<sup>2</sup> yet he did not advocate a conciliar solution. In his case especially the appeals to the Council by Sigismund of Tirol<sup>3</sup> and Diether von Isenburg,<sup>4</sup> which he had inspired, were only moves on the political chess-board, not the expression of a genuine desire for a Council. In the spring of 1461 Mayr went so far as to suggest to George Podiebrad that he should get the Pope to appoint him Regent of the Empire and commander of the army that was to fight the Turks. In the event of the Pope refusing he was to threaten him with a Council.<sup>5</sup>

<sup>1</sup> K. Menzel, *Diether von Isenburg* (Erlangen 1868), pp. 103-27; Gebhardt, *Gravamina*, p. 48.

<sup>2</sup> Confirmation in Heimburg's appeal against the brief of 18 October 1460, Goldast, *Monarchia*, VOL. II, pp. 1592-5; Freher-Struve, *Germ. rerum script.*, VOL. II, pp. 211 ff.; for German text, P. Joachimsohn, *G. Heimburg* (Bamberg 1891), pp. 197-204, but especially in the apologia against Teodoro de' Lelli, printed in Goldast, *Monarchia*, VOL. II, pp. 1604-23; Freher-Struve, *Germ. rerum script.*, VOL. II, pp. 228-55.

<sup>3</sup> Goldast, *Monarchia*, VOL. II, pp. 1587 ff. The appeal is dated 13 October 1460; on it, and on the earlier appeal of 14 July 1460, see A. Jäger, *Der Streit des Cardinals Nikolaus von Cusa mit dem Herzoge Sigmund von Österreich*, VOL. II (Innsbruck 1861), pp. 77 ff., 94 ff. Text of the appeal of 16 March in Goldast, *Monarchia*, VOL. II, pp. 1576 ff.; Freher-Struve, *Germ. rerum script.*, VOL. II, pp. 193 ff.

<sup>4</sup> Menzel, *Diether von Isenburg*, pp. 105 ff., 116 f.; text of first appeal in H. Ch. Senckenberg, *Selecta iuris et historiarum*, VOL. IV (Frankfurt 1738), pp. 392-9, with corrections in Menzel, p. 29 f. The text of the second appeal in Senckenberg, VOL. IV, pp. 369-80; cf. U. Paul, *Studien zur Geschichte des deutschen Nationalbewusstseins im Zeitalter des Humanismus und der Reformation* (Berlin 1936), p. 67.

<sup>5</sup> H. Markgraf, "Über Georgs von Podiebrad Projekt eines christlichen Fürstenbundes", in *H.Z.*, XXI (1869), pp. 245-304, particularly p. 263.

Thus was the Council degraded to a mere instrument of naked and unblushing extortion. It would have been strange if Podiebrad of Bohemia, the most active of all politicians of the Empire, had not taken advantage of a political chance arising out of the ideology of the period. At the beginning of December 1460, when he cherished hopes of becoming King of the Romans, Podiebrad entered into a pact with Diether von Isenburg which included a provision for a Council in some Rhineland city for the purpose of reiterating and executing the decrees of Basle.<sup>1</sup> As we have seen already, events took a different turn at the Diet of Nuremberg, and even more so later on. Two years later Podiebrad allied himself with the adventurer Antonio Marini. The latter's fantastic project for a league of the princes and peoples of Europe had not only an anti-papal bias (inasmuch as it aimed at thwarting Pius II's plan for a crusade)—it was also undoubtedly influenced by the conciliar theory and was conceived as a secular counterpart of the reform Councils. The league was to be directed by a committee presided over by one of the princes and its organisation was to be modelled on the conciliar "nations" of Constance. It was to meet at Basle in 1464, and at intervals of five years the seat of the executive was to be transferred to France or Italy, as the case might be. Marini's secular counter-council was a pure phantom; like a will-o'-the-wisp it fluttered about for a year until it vanished, like its creator, without leaving a trace.

Podiebrad took up his plan for a Council a second time in 1467.<sup>2</sup> In the meantime, he had been excommunicated and deposed by Paul II on the ground of heresy; however, a sentence of this kind, he argued, could only be pronounced by a General Council. He forgot that the teaching of Hus had been condemned at Constance. The new Council to which his affairs were to be submitted was to be organised according to nations, as at Constance. To Louis XI he represented it as an act of self-defence of the secular princes against the universal monarchy which was the Pope's aim. However, both arguments were in vain. The French King, who just then did not wish to be embroiled with the Curia, gave an evasive answer. Paul II upheld his sentence and Podiebrad was forced to have recourse to arms against the coalition

<sup>1</sup> For text see G. Freiherr von Hasselholdt-Stockheim, *Herzog Albrecht IV von Bayern* (Leipzig 1865), pp. 274-86; cf. Menzel, *Diether von Isenburg*, p. 88; Gebhardt, *Gravamina*, p. 41.

<sup>2</sup> J. Pazout, "Georg von Böhmen und die Konzilsfrage im Jahre 1467", in *Archiv für österreichische Geschichte*, XL (1867), pp. 323-71, especially pp. 364, 368.

formed against him. Soon afterwards death removed him from the scene of strife.

Apart from Podiebrad's final struggle for a Council, the ecclesiastical-political opposition in Germany presents substantially the same picture: the Council was on its lips but its heart was far from it. It affected solicitude for the authority of the decrees of Constance and Basle, especially for *Frequens*, but in reality the problems of the universal Church left it cold. In spite of the prohibition issued in the meantime, it appealed to the Council, but only when it saw that its cause at the Curia was lost. When it spoke of a reform of the head, it meant, at best, only the removal of the *gravamina*. More often it aimed at purely personal advantages; about a reform of the members, which concerned everybody and would entail sacrifices, it chose to be silent. Even the ecclesiastical-national aspirations of the age lacked decision and steadiness; a miserly yet defiant selfishness dominated the thought both of society at large and of individual nations. Thus we can understand why the idea of a Council played only a modest role in the projects for imperial reform at the close of the fifteenth century.

Hans of Hermannsgrün refers to the Council in a memorial drawn up in the year 1494 in the literary dress of a dream. In this document he calls to account both the Pope and the French King for the wrong done by them to the Emperor.<sup>1</sup> Berthold von Henneberg, Archbishop of Mainz, and the very soul of a movement for a reform of the Empire, kept aloof from such vagaries. There is good reason to assume that he, as an upholder of "the old order", a zealous reformer within his ecclesiastical province and a man of inflexible integrity, conceived the reform of the Church in terms of the decrees of Constance and Basle and that he looked to the Council for the removal of the *gravamina*. We have no detailed information about the nature of the advice he gave to his friend Pius III when the latter was raised to the chair of St Peter. At any rate it does not appear that his ideas ever took concrete shape.<sup>2</sup> The same is true of those secular princes who were favourable to Church reform. In his funeral oration on Count Eberhard of Württemberg,

<sup>1</sup> H. Ulmann, "Der Traum des Hans von Hermannsgrün. Eine politische Denkschrift aus dem Jahre 1494", in *Forschungen zur deutschen Geschichte*, xx (1880), pp. 67-92, especially p. 87; Döllinger also gives the text, *Beiträge*, vol. III, pp. 91-104.

<sup>2</sup> F. Hartung, "Berthold von Henneberg, Kurfürst von Mainz", in *H.Z.* ciii (1909), pp. 527-51; K. Bauermeister, "Berthold von Henneberg, Kurfürst und Erzbischof von Mainz", in *H.ſ.*, xxxix (1918-19), pp. 731-40; E. Ziehen, *Mittelrhein und Reich im Zeitalter der Reichsreform*, vol. I (Frankfurt 1934), pp. 166 ff., and *passim*. For the memorial to Pius III, see J. Schlecht, *Pius III und die deutsche Nation* (Kempten 1914), p. 19.



Konrad Summenhart relates that one of the dead man's most ardent wishes had been to live long enough to witness a great reform Council and the renewal of the Church in head and members.<sup>1</sup> Duke George of Saxony was convinced that the Council was the only remedy for the ailments of the Church; her history shows that at no time did she recover her health by mere human efforts, but solely with the help of God through the sacred Councils. To their neglect he ascribed the fact that at this time the face of the Bride of Christ was disfigured like the face of a corpse.<sup>2</sup>

These reflexions were embodied in the letter by which the zealous Duke accredited his representative, Nicholas von Schönberg, to the fifth Council of the Lateran. They might equally well have come from the pen of any one of the men who at that time promoted reform by their writings. They are characteristic of the ecclesiastical-political atmosphere of Germany, but for the time being they remained without effect. What applies to the princes is even more applicable to the contemporary head of the Empire.

The Emperor Maximilian I, whose soaring aspirations may well have been stimulated by the example of the Emperor Sigismund, toyed in various ways with a plan for a Council, but he gave it no more effective support than his father had done. The desire to forward simultaneously the war against the Turks and the reform of the Church may have induced him to sanction Charles VIII's Italian expedition.<sup>3</sup> Towards the end of 1500 he made overtures to Louis XII, Charles's successor, with a view to a Council for the good of Christendom and for a plan of campaign against the Turks.<sup>4</sup> They yielded no better results than the national-ecclesiastical views of his adviser, Matthew Lang, which proved to be the germ of the famous "consultation" addressed to Jakob Wimpfeling in 1510.<sup>5</sup> For a while Maximilian

<sup>1</sup> Haller, *Anfänge der Universität Tübingen*, VOL. II, p. 67.

<sup>2</sup> Credentials issued by Duke George to Nikolaus von Schönberg, 29 March 1513, Th. Kolde in *Z.K.G.*, III (1879), pp. 604 ff.

<sup>3</sup> H. Ulmann, *Kaiser Maximilian I*, VOL. I (Stuttgart 1884), p. 270.

<sup>4</sup> Instructions of 11 December 1500 in V. von Kraus, *Das Nürnberger Reichsregiment* (Innsbruck 1883), pp. 200-05; the passage is on p. 204; further details of a plan for a Council are on pp. 206 ff. In point of fact in Rome they expected Maximilian's envoys with proposals of this kind as early as January 1499, at a time when Spain held out the threat of a Council, Sanudo, *Diarii*, VOL. II, p. 343.

<sup>5</sup> J. Knepper, *Jakob Wimpfeling* (Freiburg 1902), pp. 253 ff.; *ibid.* p. 365 f. (Spies's instructions dated 18 September 1510). On Lang's spiritual paternity of them, a circumstance to which P. Kalkoff was the first to draw attention in his *Forschungen zu Luthers römischen Prozess* (Rome 1905), p. 102 f., see Werminghoff, *Nationalkirchliche Bestrebungen*, pp. 121-32. Further documents based on the edition of 1520, in J. A. Riegger, *Amoenitates literariae Friburgenses* (Ulm 1715), pp. 479-515.

supported the Council of Pisa against Julius II, but he failed in his efforts to induce the German bishops to attend that gathering; he himself soon dropped the whole thing. His attitude towards the question of the Council was like his entire policy—desultory and unsteady—so that in his day also both Emperor and Empire failed to promote the cause of Council and reform. The great reform Council advocated by Vincent of Aggsbach and his sympathisers survived in the same way as Heimbург's heritage, the *gravamina*—in literature and in wishful dreams and aspirations. Practical results there were none. The writings of the Alsatian patriot Wimpfeling faithfully mirror the situation. He battles against the *gravamina* and on occasion speaks in sharp terms of the behaviour of the Roman "courtiers". He gleefully hails the fifth Council of the Lateran, from which he hopes for a return of Bohemia to the obedience of Peter, a great crusade for the reconquest of Constantinople, a comprehensive reform of the Church and a restoration of the majesty of the sacred Councils in which the whole Church is represented.<sup>1</sup> All this was fine and excellent, but it was only literature.

Conditions in the Western national states differed vastly from those prevailing in Germany. The Church in England had long enjoyed an extensive measure of independence of Rome. Here there was no need, for ecclesiastical-national reasons, to look for a reform Council. The Crown continued to maintain its customary good relations with the Popes, all the more willingly as at the time it was greatly preoccupied with domestic struggles.

The peoples of the Iberian peninsula were engaged in a holy war for their liberation from Moorish domination. Princes and clergy joined in the fight for what was both a national and an ecclesiastical aim. The intervention of the Kings of Aragon, Castile and Portugal in the affairs of the Church in their respective territories was already considerable in the later Middle Ages.<sup>2</sup> In 1467 the rebellious grandees of Castile appealed to a Council after the papal nuncio had excommunicated them,<sup>3</sup> but the appeal had no further consequences. As soon as the union of their territories was realised, the Catholic Kings began to develop royal patronage. In the Inquisition they forged an effective

<sup>1</sup> In addition to Werminghoff's observations referred to in the preceding note, see J. Knepper, *J. Wimpfeling*, pp. 67, 272 ff.

<sup>2</sup> J. Vincke, "Kirche und Staat in Spanien während des Spätmittelalters", in *R.Q.*, XLIII (1935), pp. 35-53, and his observations on Hashagen, relating for the most part to Spain, in *A.K.R.*, CXI (1931), pp. 685 ff.

<sup>3</sup> Raynald, *Annales*, a. 1467, No. 20.

instrument for their twofold power, while they favoured various reforms in the Church. But they were up in arms whenever papal provisions became inconvenient. Even the pious Isabella did not shrink from threatening Sixtus IV with a Council when instead of granting the See of Cuenca to her confessor, Alfonso of Burgos, the Pope bestowed it on his own nephew, Raffaele Riario, without previously sounding her.<sup>1</sup> Apart from this, the threat of a Council scarcely played any role at all in Spain's fifteenth-century ecclesiastical policy. It was only under Alexander VI that Ferdinand the Catholic sought to thwart the Pope's alliance with France, as well as the plans of Caesar Borgia, by accusing the Pope of simony and by threatening to call him to account before a Council.<sup>2</sup> It is obvious that Ferdinand merely exploited the enormous advantage which the Borgia Pope's conduct gave him. Viewed as a whole, Spanish policy, no less than Spanish theological speculation, kept off the idea of the Council.

France alone seemed destined to give practical significance to the idea of the Council, seeing that the doctrine of the Council's superiority over the Pope constituted a strong element in Gallicanism. In reality, however, there was no reason why the French clergy, by urging a new Council, should undermine the Pragmatic Sanction, which, as a matter of fact, had never been recognised by the Popes. The Sanction was law for Church and State and as long as the King upheld and observed it the clergy enjoyed a far-reaching administrative and financial autonomy. Only when he violated it, as happened very often, or when, in furtherance of his Italian policy, he even seemed prepared to yield to the Pope's pressure and to replace it by a concordat, was it to the advantage of ecclesiastical circles to stress the authority of the conciliar decrees embodied in the Sanction. Thus, in the year 1452, when the Pragmatic Sanction seemed in danger, Archbishop Jouvanel des Ursins of Rheims formulated the following question: "Is the King of France, and are the French bishops, entitled to alter or suppress the decrees of a General Council?" The answer was in the negative.<sup>3</sup> On the strength of this answer the Archbishop and, at his instigation, the Assembly of the clergy of Bourges demanded a new Council to be held on French territory.<sup>4</sup> After the attempt to attract the Papacy once more to France had proved a failure, the appeal to the Council served

<sup>1</sup> Pastor, VOL. II, p. 623; Eng. edn., VOL. III, p. 100.

<sup>2</sup> Sanudo, *Diarii*, VOL. II, p. 279; cf. p. 41, n. 1.

<sup>3</sup> Valois, *Sanction Pragmatique*, p. 208.

<sup>4</sup> *Ibid.*, pp. 226 ff.; also p. clxxxii of the introduction.

the French clergy chiefly as an emergency port to which one could turn for shelter whenever there was danger of the abolition of the Pragmatic Sanction. When at a later date, in the reign of Louis XI, the clergy claimed it once more as a right, it did so not on its own initiative but under pressure from the Crown.

In the same way, the French Crown's concern for a reform Council was not without certain reservations. Under the régime of Louis XI it increased its real power over the Church in France. Its aim, which was complete domination over the bishops and the disposal of Church property, was more likely to be attained by means of a concordat with the Pope than by a Council. Moreover, beyond an understanding of this kind there beckoned the prospect of a great gain for the King's foreign policy, namely the possibility of acquiring Naples. The abolition of the Pragmatic Sanction accordingly became a counter with which the King hoped to bargain with the Pope with a view to these great gains. But in the hands of Louis XI the demand for a Council became a common means of political pressure with the help of which the King sought to make the Pope amenable to his Italian policy. This was the lowest degradation as well as the most dangerous misuse of a basically sound idea and one that held the promise of much good.

Charles VII in his day had been an adept in wielding the threat of a Council,<sup>1</sup> but it was Louis XI who became a past master in the use of the new weapon. For him, in the words of a French historian, the Council was the bugbear with which the Popes could be threatened whenever he wished to extort some concession from them.<sup>2</sup> In the hope of making Pius II subservient to his Italian policy he abolished the Pragmatic Sanction,<sup>3</sup> but when he realised that he had made a miscalculation he threatened the Pope with a Council. In the meantime he furthered the anti-papal project of the adventurer Marini mentioned above.<sup>4</sup> A few years later the King told the Milanese envoys that he would force a Council on Paul II, so that the Pope "would rue his

<sup>1</sup> In the spring of 1453 Charles VII sounded Ladislaus of Hungary on the subject of a Council; Piccolomini to Nicholas V, 10 April 1453, *Correspondence*, ed. Wolkan, VOL. III, pp. 132, 134 f.; K. Pleyer, *Die Politik Nikolaus' V* (Stuttgart 1927), p. 16.

<sup>2</sup> J. Combet, *Louis XI et le Saint Siège* (Paris 1903), p. 69.

<sup>3</sup> The impact of the French Kings' Neapolitan policy on their attitude to the Curia has been described by Haller and his followers in a number of publications, e.g. Ch. Lucius, *Pius II und Ludwig XI von Frankreich* (Heidelberg 1913), pp. 75 ff. Pius II's fears of Louis XI's intrigues in connexion with the Council are mentioned in Carretto's report of 12 March 1462, L. Pastor, *Ungedr. Akten*, VOL. I, pp. 154 ff.

<sup>4</sup> Report of the Milanese envoy Malletta, dated 26 May 1464, Pastor, *Ungedr. Akten*, VOL. I, pp. 291 ff.; cf. p. 285.

having created so many difficulties for me".<sup>1</sup> For the time being this remained but a vague threat; it assumed a definite shape in the winter of 1469-70. By that time the King had thrown his former favourite Cardinal Balue into gaol. He was also incensed by Paul II's leaning towards the league between Burgundy and Venice, which was hostile to him. Guillaume Fichet, the Rector of the University of Paris, was accordingly commissioned to secure the support of the Duke of Milan—and through him that of Florence and Naples—for an anti-papal Council.<sup>2</sup> England, Spain and the Emperor were also to be informed of the plan. Once again the whole thing was no more than a political manœuvre. Galeazzo Sforza made his adherence to the plan dependent on that of his allies, but these held aloof. Louis accordingly dropped the scheme.

In 1476 the King went a step further. With a view to deterring Sixtus IV from favouring Charles the Bold, he announced, on 8 January 1476, on the basis of the decree *Frequens*, the imminent convocation of a General Council at Lyons.<sup>3</sup> The agenda included the following items: The question of the Turks, the Schism (viz. the heresy of Hus), and the reform of the Church. The Dean of Lyons informed Rome of the demand for a Council.<sup>4</sup> At a full consistory, the Pope gave an evasive reply but Cardinal Orsini, as spokesman of the Sacred College, was more definite: "This was not the time for the most Christian King arbitrarily to press for a Council; his proper task was to fight the Turks!" Both Pope and Cardinal knew what they were to think of Louis's plan for a Council: it was no more than a threat. Louis himself dropped it a few months later when, with the assistance of Cardinal Giuliano della Rovere, who had come to Lyons, he had obtained from the Pope all the concessions he wanted. The threat of the Council

<sup>1</sup> Sforza de Bettinis to the Duke of Milan, 6 April 1469, *Lettres de Louis XI*, ed. J. Vaesen (Paris 1883), VOL. IV, p. 337.

<sup>2</sup> Louis XI to Galeazzo Sforza, 3 November 1469, *Lettres de Louis XI*, VOL. IV, pp. 46 ff. Moufflet, *Etudes sur une négociation diplomatique de Louis XI* (Marseille 1884) assigns these events to the previous year, but P. Ghinzoni establishes the right date in his paper "Galeazzo Maria Sforza e Luigi XI", in *Arch. storico lombardo*, XII (1885), pp. 17-32; see Combet, *Louis XI*, pp. 78-91, for the whole subject.

<sup>3</sup> Pithou, *Preuves des libertés de l'Eglise Gallicane*, ed. Dupuy (Rouen 1639), VOL. II, pp. 1284 ff. In favour of such an action a claim is put forward that the Council of Constance had granted the French king the right to demand a Council at intervals of five years. Needless to say this is incorrect. For what follows see also P. Ourliac, "Le Concordat de 1472; Etude sur les rapports de Louis XI et de Sixte IV", in *Revue historique de droit français et étranger, Série IV*, XXI (1942), pp. 174-223; XXII (1943), pp. 117-54.

<sup>4</sup> Combet, *Louis XI*, pp. 145 ff.

vanished from the agenda of the discussions—but only for a short while. It raised its head again in 1478. The conspiracy of the Pazzi provided Louis XI with a pretext for renewed political action in Italy. In the summer of 1478 two envoys, Clermont and Vives, went to Rome to inform the Pope that a Council was about to meet in France. The Pope refused to receive them.<sup>1</sup> Meanwhile the King mobilised the Gallican clergy. At its assembly at Orleans, between 13 September and 19 October 1478, the clergy, for its part, demanded a Council on the basis of the decrees of Pisa, Constance and Basle.<sup>2</sup> It declared that the King's action was legitimate, since it was part of the duties of the King of France to bring about the meeting of a Council whenever the Pope failed to do so. A fresh royal embassy took the manifesto of the assembly with its demand for a Council, to Rome.<sup>3</sup> "Contrary to the decree *Frequens*," so we read in that document, "no Council has been held for a period of forty years." There follows a formal summons to the Pope to call a Council; it must meet in a safe and suitable place, and the Pope must appear at it either in person or through legates. The chief matters on the agenda of the assembly were to be the reform of the Church in head and members and the creation of a defensive league against the Turks. The envoys had been instructed to suggest Lyons once more as an appropriate locality for the conciliar assembly.<sup>4</sup>

This time it looked as if the King meant business. The envoys reached Rome at the end of 1479. The Pope remained firm. He told the messengers that he was sole judge whether or not a Council should be convoked, and in an affair of this kind not only the King of France,

<sup>1</sup> Raynald, *Annales*, a. 1478, No. 16 f.

<sup>2</sup> The royal letter of convocation in *Lettres de Louis XI*, VOL. VII, p. 146 f.; for the programme, see E. Frantz, *Sixtus IV und die Republik Florenz* (Regensburg 1880), p. 285; on the course of the Assembly, Combet, *Louis XI*, pp. 159 ff. In the circular letter (Combet, pp. 256-63) we read: "Regi Christianissimo iure hereditario post S. tem V. spectat et pertinet concilium generale convocari facere" (p. 261).

<sup>3</sup> The envoys' credentials, dated 20 November 1478, in Pithou, *Preuves des libertés de l'Eglise Gallicane*, VOL. I, pp. 512 ff. In the event of the Pope's rejection of their demand they were instructed to appeal to a better informed Pope and to the future Council. They were also told "eidem summo pontifici supplicandum quatenus insequendo decreta generalium conciliorum Pisani, Constantiensis et Basiliensis, quae inter alia decreverunt quod de decennio in decennium ad minus concilium generale in ecclesia sancta Dei celebraretur, nullumque fuerit quadraginta anni sunt effluxi celebratum concilium generale, dignetur mandare, convocari et teneri facere generale concilium universalis ecclesiae in aliquo loco tuto, decenti et convenienti, prout per dicta decreta ordinatum exstitit . . ." (p. 514).

<sup>4</sup> A. Desjardins, *Négociations diplomatiques de la France avec la Toscane*, VOL. I (Paris 1859), pp. 175-84. Further documents of the embassy in *Lettres de Louis XI*, VOL. VII, pp. 201 ff. There is a résumé in Latin in Raynald, *Annales*, a. 1478, Nos. 18 ff.; Combet, *Louis XI*, pp. 165 ff.

but the Emperor and the other Christian princes must also be heard. Not content with justifying his refusal, the Pope passed to the offensive, or, more accurately, to a counter-threat. He was not afraid of the Council, he declared, for he felt convinced that the bishops and clergy gathered in Council would stand by him in his dispute with Florence and defend the freedom of the Church which had been violated.<sup>1</sup>

Negotiations dragged on into the summer; but Sixtus IV gained sufficient time to enable him to make sure that the Emperor and the King of Spain were with him.<sup>2</sup> This time too, as the Milanese ambassador at the French court had foretold as early as December 1478,<sup>3</sup> Louis did not press his threat of a Council. Meanwhile the argument between the Pope and Florence was transferred to the field of battle. The final issue was the submission of the Medici.

The pernicious example of Louis XI was not lost on his successors. Charles VIII threatened Alexander VI with a Council in the event of his recognising Alfonso II as King of Naples,<sup>4</sup> and during the whole of his Italian expedition he kept the Damocles-sword of the Council hanging over the Pope's head.<sup>5</sup> In the manifesto addressed to the whole of Christendom from Florence, on 22 November 1494, he made an unmistakable allusion to such a possibility, and he managed to link it up most skilfully with the idea of a crusade.<sup>6</sup> These plans for a Council—if they can be so described at all—were given no more effect than those of Louis XI. It was reserved to Louis XII to take a step from which his predecessors had always shrunk in the end. The *conciliabulum* of Pisa, convened by the cardinals who opposed Julius II, was in the last instance a French political manœuvre: it was also

<sup>1</sup> The Pope's reply in Combet, *Louis XI*, pp. 280-5, but earlier and better in Raynald, *Annales*, a. 1478, Nos. 20-8; Frantz, *Sixtus IV und die Republik Florenz*, pp. 283 ff. Raphael da Volterra thus describes the effect (Raynald, *Annales*, a. 1478, No. 29): "Quapropter quem illi metu expugnare sperabant, ab eodem perterrefacti discesserunt".

<sup>2</sup> The instructions for the protonotary de Agnellis and the auditor de Grassis who were being despatched to the imperial court, in Combet, *Louis XI*, pp. 267-74. Those for the Spanish nuncio Boil (*ibid.*, pp. 275-80) stress the risk of an armed enterprise by France against Naples and contain an assurance that the Pope's allies had bound themselves to protect the pontiff from aggression "in spiritualibus et temporalibus".

<sup>3</sup> Report of the agent Cagnola to the Duchess of Milan, 30 December 1478, Kervyn de Lettenhove, *Lettres et négociations de Philippe de Commines*, VOL. I (Brussels 1867), p. 283.

<sup>4</sup> Pastor, VOL. III, i, pp. 382 ff.; Eng. edn., VOL. V, pp. 423 ff.

<sup>5</sup> According to a report of the Florentine envoys Vespucci and Capponi, of 6 June 1494, from Lyons, Cardinal Giuliano della Rovere was the heart and soul of the project, Desjardins, *Négociations diplomatiques de la France avec la Toscane*, VOL. I, p. 399.

<sup>6</sup> Burchard of Strasbourg, ed. Celani, VOL. I, p. 542; ed. Thuasne, VOL. II, p. 198.

the last link of a long chain of conciliar plans and threats by the French Kings. We shall treat the subject more fully in the fifth chapter.

Since the policy of the Most Christian Kings had included a skilful and unscrupulous manipulation of the bogey of the Council, was it likely that the potentates of Italy, those experts in political craft, would let such a device escape them? Better than anyone else they knew how averse the Renaissance Popes were to a Council. At bottom they too shared this aversion. No one stood to gain more by the papal restoration than the Italians. The College of Cardinals and the Curia became increasingly italianised. The Italian clergy, its humanists and canonists, saw no reason why a Council should jeopardise the material benefits that offered themselves. In the long run the states of the peninsula, Milan, Florence, Naples, and even that great power, Venice, were far too dependent on co-operation with the Papacy and the States of the Church and far too concerned for the maintenance of what they had gained through their restoration, to compromise them of their own accord by fostering an agitation for a Council. If they temporarily allied themselves with the conciliar projects of others, they were exclusively guided by considerations of foreign policy dictated by the grouping of the nations, which changed from month to month, or they took advantage of the exceedingly questionable means of an appeal to a Council in order to strengthen their position in their ecclesiastical-political conflicts with the Popes. Thus Venice appealed to a future Council on two occasions: the first time on 3 March 1483—this appeal was repeated on 15 June 1483, and again on 1 May 1509.<sup>1</sup> The aim of both appeals was to render nugatory, even if only in appearance, the censures threatened or already pronounced by Sixtus IV and Julius II. On both occasions the Republic appealed to the decree *Frequens*, while at the same time taking good care not to take a single serious step in preparation for such an assembly.<sup>2</sup>

The same is true of the hotly controverted, purely fictitious synod of Florence of 1478, and its demand for a Council against Sixtus IV. This synod never took place at all. The probability is that we have to

<sup>1</sup> G. Dalla Santa, "Le appellazioni della Reppublica di Venezia dalle scomuniche di Giulio II", in *Nuovo Archivio Veneto*, xvii (1899), pp. 216-42; *id.* "Il vero testo dell'appellazione di Venezia dalla scomunica di Giulio II", *ibid.*, xix (1900), pp. 349-61.

<sup>2</sup> The transmission of the appeal of 1509 to Cardinal Bakócz, patriarch of Constantinople, need not be regarded as a serious step in this direction, Sanudo, *Diarii*, vol. viii, pp. 170, 187.



deal with a pamphlet by Gentile Becchi, Bishop of Arezzo, which gives particulars of the conspiracy of the Pazzi, holds the Pope responsible for the assassination of Giuliano de' Medici and reviles him in the crudest terms. It ends in a rhetorical appeal to the Emperor, the King of France and the Christian princes and peoples to rid the Church of the present Pope by means of a Council. The pamphlet circulated in print, so as to counter the Pope's Bull of Excommunication, which was also in print, on equal terms from the point of view of publicity. The only remarkable thing is that this libel should have appeared dressed up as a synodal decision.<sup>1</sup>

It was one of Zamometič's many delusions that he imagined he could count on the support of the anti-papal league between Milan, Florence and Naples for his attempt to convene a Council at Basle in 1482, of which more will be said later.<sup>2</sup> Lorenzo the Magnificent and Giangaleazzo Sforza sent observers to Basle, but no envoys with full powers, and in particular no bishops. Bishop Gatto of Cefalù, whom King Ferrante intended to send to the Council, was not to be found at the moment when he should have set out, and the ship with its cargo of Neapolitan bishops bound for the Council, of which (not without a tinge of irony) the Florentine Ugolino held out a prospect, never raised anchor.

However, Ferrante took the question of the Council of Basle more seriously than his allies. This may have been due to the influence of Luca da Tozio, a Roman emigrant. A few years later he too did not hesitate to brandish that trusty weapon, the threat of a Council. In the course of his dispute with Innocent VIII, which originated in the King's refusal to pay certain taxes, he appealed to a future Council; on 11 September 1489 he insisted on its convocation. His son-in-law, Matthias Corvinus, seconded him in this action.<sup>3</sup> The Pope, completely isolated and intimidated as he was, took the threat so seriously that he had a memorial drawn up by the canonist Felinus Sandaeus which

<sup>1</sup> Text in A. Fabroni, *Laurentii Medicis Magnifici vita*, VOL. II (Pisa 1784), p. 164 f. The original printed edition which Morelli, librarian of St Mark, saw in 1771, consisted of ten small folio sheets. Frantz's arguments (*Sixtus IV und die Republik Florenz*, pp. 237 ff.) for the historicity of the synod do not carry conviction.

<sup>2</sup> A. Stoecklin, *Der Basler Konzilsversuch des Andrea Zamometič* (Basle 1938), pp. 29 ff., 62-78. Of this more will be said in Ch. V.

<sup>3</sup> Infessura (*Diario della città di Roma*, ed. Tommasini, 1892, p. 250) merely says: "Appellavit ad concilium futurum et petiit dari sibi iudices"; for details see Pastor, VOL. II, i, pp. 227, 240, 248; Eng. edn., VOL. v, pp. 254, 269, 278. Alfonso I had actually appealed to the Council in 1457 when Calixtus III refused to bestow a canonry on one of his nephews (probably on account of illegitimacy), Pastor, VOL. I, p. 858.

demonstrated the illegality of Ferrante's demand and urged the Pope not to yield.<sup>1</sup> Ferrante's demand also had no sequel.

The appeals of the Italian powers to the Council, or their threats of such an assembly, complete the picture we have attempted to draw of the survival of the idea of the Council in the era of the papal restoration. Two things stand out prominently in this picture. The first is that the strict conciliar theory was visibly losing ground though it had not yet vanished altogether. It was officially recognised at the University of Paris, and occasionally found defenders elsewhere too. However, it is not here that we must look for the strength of the idea, but rather in the combination of the demand for a Council with the actual need of reform which was no less keenly felt by the solitaries of the Charter-houses than by the ecclesiastical-political advisers of Ferdinand the Catholic. The struggle was not about *Sacrosancta* but about *Frequens*: in other words, the great concern was not so much the question of the supremacy of the Council as the holding of a Council there and then. The pontificate of Sixtus IV and above all that of Alexander VI, added strength to the general conviction that a Council was indispensable if order was to be restored in the Church. On this point there was agreement between the advocates of the conciliar theory such as Gozzadini, and the faithful adherents of the Papacy like Giustiniani and Quirini. In the second place it was fatal for the idea of the Council when it was dragged into the politics of the day and when the threat of such an assembly came to be used as a means of bringing pressure to bear on the Popes. Such an abuse was bound to intensify their aversion for a new Council. This reaction of the Popes now demands our attention.

<sup>1</sup> Vat. lat. 5607, fols. 116<sup>r</sup>-122<sup>r</sup>. *Conclusio* 6 runs thus "Nullus potest monere papam ut congreget concilium". The reply drawn up at the time by Felinus is in Baluze-Mansi, *Miscellanea*, VOL. I, pp. 518 ff.

## The Papal Reaction

THE political misuse of the idea of a Council gives us the measure of its strength, but even more of the aversion and the actual fear which it inspired in the Curia. For the Popes of the restoration period the convocation of a Council was a matter for grave and justifiable misgivings. They had good reason to fear that if a Council were convened, the long-standing and as yet undecided question of authority would come to life once more. There was also the possibility of the assembly becoming a handy tool for powerful princes, or a battleground for circles hostile to the Curia. Thus the spectre of a fresh conflict between Pope and Council, perhaps even that of a schism, could be seen rising on the horizon. Martin V, in his time, had been put on his guard against the Council, but he had thought that there was no escaping it. "Who knows", the Cardinal of Saluzzo wrote at that time, "whether the opportunity of deposing the Pope will not be seized, seeing that there are those who regard it as certain that he is only the administrator of the Church, not her master?"<sup>1</sup> The fears of the Cardinal were well founded, and after the termination of the Schism of Basle his misgivings received further confirmation. A Council was a dangerous venture both for the Popes and for the peace and the unity of the Church, and it was questionable whether the hoped-for benefits would balance the dangers there was reason to fear. The adherents of the idea of a Council demanded such an assembly with a view to the reform of the Church, the war against the Turks and the suppression of heresy. But all these problems, it was pointed out in Rome, could be solved by the Pope alone, and that much better than by a Council, for the Pope is the judge appointed by Jesus Christ in matters of faith. If the need arises he may call for the assistance of the secular arm against heretics. In virtue of his supreme authority it is for him to establish peace between Christian princes and to organise a joint crusade against the Turks, whereas a Council, from its very nature, is not able to initiate a political

<sup>1</sup> *Conc. Bas.*, VOL. I, p. 245 f.; see p. 117 f. In this, and in the next chapter, I comply with the wish expressed by R. Scholtz (in *Z.Sav.R.G.K.A.*, XXIII (1934), p. 419) that I should "outline the papal reactionary movement and the new attempts at reform, up to the Council of Trent".

and military undertaking of such dimensions. As for Church reform, the need for which no one denies, the Pope is able to carry it out as well as a Council since he alone is in a position to reconcile the often divergent aspirations of the various nations and of particular ecclesiastical groups, such as bishops, religious orders, universities and cathedral chapters.

These were some of the considerations by which the Popes of the restoration justified their negative attitude to the idea of the Council. To them were added personal motives which varied with each pontiff. Together these factors inspired their political tactics.

At his accession Nicholas V had confirmed Eugenius IV's Bull of 5 February 1447. This Bull, which was connected with the concordats with the princes, contained a promise that the Pope would do everything in his power to persuade the princes to send their deputies to a Council to be held on German soil, either at Constance, Strasbourg, Mainz, Worms or Trier. The Council was to be called within a period of eighteen months.<sup>1</sup> This promise was not expressly repeated in the Concordat of Vienna; its validity was taken for granted.<sup>2</sup> A further promise, which Nicholas V was alleged to have made in presence of the French envoy in the course of the discussions for the ending of the Schism, to the effect that he would convene a Council in some French town, lacks documentary confirmation.<sup>3</sup> When, therefore, Charles VII's envoys in the jubilee year 1450 demanded that a Council be convened at Toulouse, while Aeneas Silvius Piccolomini at the Emperor's bidding insisted on the choice of a German town,<sup>4</sup> it was not difficult for the Pope, in view of the contradictory demands in

<sup>1</sup> The Bull of 5 February 1447 in Mercati, *Raccolta*, p. 168; earlier publications of it: Raynald, *Annales*, a. 1447, No. 5; Koch, *Sanctio pragmatica Germanorum* (Strasbourg 1789), pp. 181 ff. For what follows see Pastor, VOL. I, pp. 403, 460; Eng. edn., VOL. II, pp. 38, 105.

<sup>2</sup> The proof is in the oft-repeated allusion to the "concilium futurum", especially the clause that all Eugenius's concessions to the Germans should remain in force "usque ad tempus futuri generalis concilii". Mercati, *Raccolta*, p. 180.

<sup>3</sup> Valois, *Le Pape*, VOL. II, p. 361. The events of the year 1450 show that the condition mentioned by Piccolomini (*Orationes politicae et ecclesiasticae*, VOL. I, p. 233) was actually laid down.

<sup>4</sup> Freher-Struve, *Germ. rerum script.*, VOL. II, i, pp. 34-8; *Aeneae Silvii Piccolomini Orationes politicae et ecclesiasticae*, VOL. I, pp. 140-9 (see above, p. 46, n. 1). With Voigt, *Enea Silvio Piccolomini*, VOL. II, pp. 19 ff., I am of opinion that this address (not the one that follows in the edition) was actually delivered in agreement with the Pope, and with the purpose of countering the French demand for a Council. Piccolomini's commentaries hint at this when they say: "Concilium quod Galli petebant, dissuasit", *Commentarii rerum memorabilium* (Frankfurt 1614), p. 17. But there is no proof that he acted on his own authority.

respect of the venue of the Council, to adopt a dilatory attitude to the whole question. This policy was the easier as everybody was weary of strife and longed for peace.

However, the policy of delay pursued by Nicholas V, and that of ignoring the general demand to which his successor Calixtus III resorted, could not yield a final solution. Weariness of the subject did not last. Old necessities and new events continued to whip up the demand for a Council. If Rome was unresponsive, some other means must be devised.

To counter the conciliar theory as such a very simple means was ready to hand, namely the abrogation of the decree *Sacrosancta* and its reiteration at Basle, or a declaration that it was not universally binding. Simple as this radical solution appeared, it was open to serious objections. For one thing, it would have encountered sharp opposition in France and would have conjured up the danger of a fresh schism. Moreover, the deposition of the three Popes of the Schism and the validity of the election of Martin V—hence also the legitimacy of his successors—rested on the authority of the Council of Constance. Another road must be found. The Piccolomini Pope was the first to tread it.

Pius II was acquainted with the conciliar theory; in fact he had been an adherent of it and had supported Basle against Eugenius IV. During his prolonged stay north of the Alps he had been in a position to become acquainted with the danger of the theory as well as with the weakness of its partisans. He seceded from the party and formally renounced it in his letter of retractation addressed to the Rector of the University of Cologne, and on becoming Pope he did so in the famous Bull of Retracting.<sup>1</sup> These retractations only concerned his own person, but the Congress of Mantua enabled him to take official action against the theory. Constantinople had fallen on 29 May 1453. To conjure the peril, the full gravity of which was evident to everyone, it was not enough to grant an indulgence to all who joined in a crusade—a league of Christian nations was imperative.<sup>2</sup> Two centuries earlier a Council would have been considered the proper place for bringing such a league

<sup>1</sup> The "Epistula retractationis" of 13 August 1447, last printed in the *Epistolario*, ed. Wolkan, VOL. II, pp. 54-65; the Bull of Retracting *In minoribus* of 26 April 1463, in *Bull. Rom.*, VOL. V, pp. 172-80. Exactly one century after its appearance and while Trent was discussing the relations between papal and episcopal authority, a new edition was printed at Brescia. On the question of sources, see Th. Buyken, *Enea Silvio Piccolomini, sein Leben und Werden bis zum Episkopat* (Bonn 1931).

<sup>2</sup> Raynald, *Annales*, a. 1453, Nos. 9-11.

to birth and for organising the financial and military mobilisation for a great crusade. The Popes of the restoration eschewed such means.

In the autumn of the same year Nicholas V summoned a congress of the Italian powers to Rome for the purpose of pacifying at least the peninsula, but at first his appeal fell on deaf ears. It was only in 1455 that an Italian league of peace came into being.<sup>1</sup> However, its structure was not harmonious and firm enough to enable it to initiate an undertaking of such magnitude as a crusade: the co-operation of the great powers was indispensable. Full of his plan for a new crusade, Pius II convoked the powers to a congress at Mantua.<sup>2</sup> As head of Christendom he wished to plan and to act with its political leaders; ecclesiastical opposition was to be eliminated.

In his various pronouncements the Pope carefully avoided describing the congress as a Council, though not a few of its features recalled a medieval Council; at any rate some of the methods of procedure were certainly borrowed from those assemblies. The solemn opening with the Mass of the Holy Ghost on 26 September 1459, as well as the concluding function on 14 January 1460, took place in the Cathedral. During the congress the Pope would have no plenary session; he negotiated separately with the princes and the envoys, dividing them according to nationality, as Martin V had done at Constance. At the audience of the French envoys he condemned the conciliar theory in sharp terms.

These wearisome negotiations yielded but meagre results. Venice and France adopted a frankly negative attitude, while that of most of the others was non-committal. The Pope, however, went on with his plan. To raise the necessary funds for the crusade he imposed a tax of a tenth on the income of the clergy and of a thirtieth on that of the laity.<sup>3</sup> According to Gallican teaching, an impost of this kind required the assent of those who were hit by it. This assent was lacking. It was for this reason that several ecclesiastical bodies in France had protested against the crusade-tenth imposed by Calixtus III and had

<sup>1</sup> Besides Pastor VOL. I, pp. 634 f. (Eng. edn., VOL. II, p. 299), see Pleyer, *Politik Nikolaus' V*, pp. 76 ff.; G. Nebbia, "La lega italica del 1455, sue vicende e sua rinovazione nel 1470", in *Arch. storico lombardo*, NS IV (1939), pp. 115-35.

<sup>2</sup> Acts in Mansi, VOL. XXXII, pp. 203 ff.; VOL. XXXV, pp. 105 ff.; cf. Pastor, VOL. II, pp. 49-81 (Eng. edn., VOL. III, p. 59), *id.*, *Ungedr. Akten*, VOL. I, pp. 102-19. A. Silvestri, "Gli ultimi anni di Pio II", in *Atti e Memorie della Soc. Tiburtina di storia e d'arte*, XX, XXI (1940), pp. 88-246, produces nothing new for my purpose.

<sup>3</sup> The Bull of 14 January 1460, on the thirtieth in Italy, in Raynald, *Annales*, a. 1460, Nos. 7-9; the others, not as yet printed, are noted by Pastor, VOL. II, p. 78, n. 3 (Eng. edn., VOL. III, p. 243, n. 5).

appealed to a future Council.<sup>1</sup> If the new tenth was to yield the desired revenue it was necessary to cut away the legal basis of the protests and the appeals that were to be expected. Moreover, certain incidents of the last few years had shown what a trusty tool the appeal to a Council could be in the hands of people who were anxious to evade papal censures and judgments.<sup>2</sup>

The Pope was resolved to eliminate this "deadly poison" from the Church's organism. On 18 January 1460, four days after the conclusion of the congress, he accordingly struck the great blow which was likewise meant, at least indirectly, to inflict a mortal wound on the conciliar theory.<sup>3</sup> By a decree published in consistory he forbade any future appeal from the Pope to a Council and declared such an act null and void in law. Offenders were threatened with excommunication reserved to the Pope, as abettors of heresy while corporations and localities were threatened with interdict. The decree was published, with obvious haste, on the following day, the day on which the Curia took its departure from Mantua, but the corresponding Bull (*Execrabilis*) was only completed and registered at a later date. With the Bull *Execrabilis* the restoration Papacy dealt the conciliar theory its first heavy blow. The result did not come up to expectations. In France and Germany it met with vigorous opposition and outside Rome it was

<sup>1</sup> The appeal of the University of Paris and the clergy of the ecclesiastical province of Rouen, in Raynald, *Annales*, a. 1457, No. 56 f., was condemned by Calixtus III on 28 June 1457; see Pastor, *Ungedr. Akten*, vol. 1, pp. 66 ff.; Card. Rolin, Bishop of Autun, *ibid.*, n.58. I cannot find the appeal of the University of Toulouse at the place in Raynald, *Annales*—x, 121 (=a. 1457, No. 56 f.)—to which Valois refers, *Sanction Pragmatique*, p. clxxxv. As regards the appeal of the Chapter of Verona mentioned by Pastor, vol. 1, p. 756, n.3 (not found in Eng. edn.), I am not sure whether it was to the Council; the brief of 13 April 1457 to the Spanish collector, Vat. Arch., Arm. 39, t. 7, fol. 86<sup>v</sup>, only speaks of an "Appellatio frivola a capitulo Gerundensi interposita".

<sup>2</sup> Thus in 1456 the Province of Turonia of the Franciscans-Observant appealed against a Bull of Calixtus III which subjected them to the Conventuals, on the ground that the decree issued by the Council of Constance for the protection of the Observants could not be abolished by the Pope, "Chronica Fr. Nicolai Glassberger", in *Analecta Franciscana*, II (1887), pp. 358-63.

<sup>3</sup> This state of affairs was clarified by G. Picotti, "La pubblicazione e i primi effetti della 'Execrabilis' di Pio II", in *Arch. della Soc. Romana di storia patria*, xxxvii (1914), pp. 5-56. Sixtus IV indeed, in the Bull *Qui monitis*, leaves publication to the Congress of Mantua. Sánchez de Arevalo asserts that it had been accepted by a number of envoys and prelates ("per plurimorum regum et principum aliorumque populorum et provinciarum legatos atque praelatos laudatum et receptum est", Barb. lat. 1487, fol. 79<sup>v</sup>). Both statements are unproven, as is the alleged promise of the Italian princes not to appeal to a Council. To this promise Innocent VIII appealed in 1487, against Ferrante of Naples, if the report of the envoy of Ferrara is correct; see A. Cappelli, "Lettere di Lorenzo de' Medici", in *Atti e memorie modenese e parmense*, I (1864), p. 296.

not generally accepted. In spite of repeated prohibitions of appeals to a Council by Pius II in the Bull *Infructuosos palmites* of 2 November 1460,<sup>1</sup> by Sixtus IV in the Bull *Qui monitis* of 15 July 1483,<sup>2</sup> and by Julius II in the Bull *Suscepti regiminis* of 1 July 1509,<sup>3</sup> secular princes as well as ecclesiastical bodies continued to use an appeal as a legitimate legal device.<sup>4</sup> How is this fact, so perplexing for modern Catholics, to be accounted for?

The arguments by which the appellants were wont to justify their action may be gathered from the above-mentioned work of the canonist Gozzadini.<sup>5</sup> Gozzadini contests the validity and the binding force of the prohibition on the ground that it deprives the accused of a right which rests on natural law. The Bulls of Pius II and Julius II—he is apparently unacquainted with that of Sixtus IV—were without force in law. If it was objected that the appeal was addressed to a tribunal which did not in fact exist, the answer was that the authority of the Church, which is greater than that of the Pope, endures even if no Council is actually sitting. Moreover, the decree *Frequens* provides for a Council every ten years and thereby creates, at stated intervals, a representation of the Church to which appeal can be made. If until now the Popes have not executed the decree *Frequens*, the blame is

<sup>1</sup> Text in Picotti (see previous note), pp. 50-6, against Sigismund of Tirol; see Jäger, *Der Streit des Card. Nikolaus von Cusa*, VOL. II, pp. 146 ff.

<sup>2</sup> Raynald, *Annales*, a. 1483, Nos. 18 ff.; J. Ch. Lünig, *Cod. Italiae dipl.*, VOL. IV (Frankfurt 1736), pp. 1819-24, directed against Venice.

<sup>3</sup> *Bull. Rom.*, VOL. V, pp. 479-81; for the original, Picotti, p. 49, n.1, also directed against Venice.

<sup>4</sup> Picotti's list (pp. 33 ff.) of appeals to the Council after, and in spite of *Execrabilis*, may be greatly lengthened. As already stated, the Castilian grandees appealed in 1467, Raynald, *Annales*, a. 1467, No. 20; the University of Paris on 23 September 1491, Bulaeus, *Historia universitatis Paris.*, VOL. V, pp. 795-804, and again on 18 December 1500. A. Renaudet, *Préréforme et Humanisme à Paris* (Paris 1916), pp. 398 ff.; Giovanni Bentivoglio 1506, Sigismondo de' Conti, *Le Storie de' suoi tempi*, edd. Zanelli and Calabro (Rome 1883), VOL. II, p. 350. As a matter of fact, Picotti does not adequately distinguish between the appeal to the Council as a legal procedure and the demand for a Council and its convocation. Although Sixtus IV did not base himself on *Execrabilis* in dealing with Zamometič, his silence was no proof that he was unacquainted with the Bull, for Zamometič had not appealed to the Council. *Execrabilis* did not hit the appeal to a better-informed Pope such as that which was at least discussed by the provincial council of Mainz in 1487 (L. A. Veit in *H. J.*, xxxi (1910), pp. 524, 536), and which the Chapter of Constance actually lodged against the provision of Dietrich von Freiberg. Göller nevertheless observes that in the two legal memorials published at the time "there breathes the atmosphere of the Council of Basle": *Freiburger Diözesenarchiv*, VOL. LII (1924), p. 20; *Reg. episcopatus Constant.*, Nos. 14239, 14361. It was against this kind of appeal that Sánchez de Arevalo wrote his *Tractatus de appellatione a sententia Romani pontificis non informati ad seipsum bene informandum*, Barb. lat. 1487, fols. 79<sup>r</sup>-88<sup>v</sup>; also Vat. lat. 4167, fols. 177 ff.

<sup>5</sup> Proofs in *R.Q.*, XLVII (1939), pp. 222 ff.



theirs but the right remains unaltered. Gozzadini describes the Council's superiority over the Pope as an article of faith—as if there had been no Council of Florence, no Bull *Execrabilis*, no papal restoration.

Matthias Ugonius, a contemporary of Gozzadini, speaks at first very cautiously of the Bull *Execrabilis*. It may be urged against it that it had never been accepted by the faithful and was therefore invalid. But his conclusion leaves us in no doubt that he shared Gozzadini's views. He writes: "Pius II's Bull is no obstacle to an appeal to a Council, since it is at variance with natural law."<sup>1</sup>

We need not stop to show the untenability of these arguments: they dash themselves in vain against the rock of the papal supremacy by divine right. There is one thing, however, which these facts and discussions make quite clear, namely that a good deal of confusion about the conception of Church, Council and Papacy still prevailed. The Popes had to reckon with this fact as often as they were faced with a demand for a Council, hence they would urge the difficulties that stood in the way, take evasive action or make counter-proposals for which Pius II had actually left directions. The Congress of Mantua was the prototype of a whole series of plans and proposals which dragged through the remaining years of the fifteenth century.

In the preceding chapter reference was made to the fact that on the occasion of Frederick III's second visit to Rome the Emperor had submitted a plan for an œcumenical congress to be held at Constance for the purpose of a general peace and a crusade against the Turks. Although he entertained no high expectations from such a meeting the Pope ended by suggesting a congress of princes to be held not at Constance but in Rome.<sup>2</sup> Three months before his death he discussed very fully with Duke Borso of Ferrara a plan for a diet in the city of that name. "It is better", the Pope's nephew, Cardinal Zeno, said to Francesco Gonzaga, "that we should forestall our opponents and that the meeting should be held in a place of our own choice in Italy, rather

<sup>1</sup> M. Ugonius, *De conciliis*, fols. 42<sup>r</sup>-45<sup>v</sup>: "Merito . . . concludendum et dicendum videtur secundum Panormitanum ubi supra, quod quocumque casu papa contra iustitiam divinam et naturalem aliquem de facto vel aliter indebite gravat, ad concilium, sive congregatum sive non, intrepide appellari, querelari, reclamari denunciarique poterit, dicta Pii II constitutione non obstante" (fol. 45<sup>r</sup>).

<sup>2</sup> Ammanati's report in the *Commentarii*, BK VII, in the Frankfurt edition of Pius II's *Commentarii*, pp. 440 ff.; in part also in Raynald, *Annales*, a. 1468, Nos. 46 ff.; see above, p. 46, n. 2.

than have one forced upon us elsewhere.”<sup>1</sup> At the beginning of his pontificate Sixtus IV, Paul II’s successor, thought of holding a princes’ congress at the Lateran, at Mantua or at Ancona.<sup>2</sup> He took up the plan once more in 1479, at the time of the French agitation for a Council,<sup>3</sup> but it was only given effect when, after the fall of Otranto, the Turkish peril became acute in Italy. An ambassadors’ conference in Rome, from March until May 1481, agreed on the imposition of a tenth for the Turkish war but failed to draw up a programme for joint action because the death of Mohammed II, news of which reached Rome on 5 May, removed the most pressing anxiety while at the same time it lessened the conference’s enthusiasm for the crusade.<sup>4</sup> The ambassadors’ conference convened in Rome by Innocent VIII in 1490 started from a plan to use the pretender to the Turkish throne, Djem, who had fallen into the Pope’s power, for a great enterprise against the Ottomans. However, the grandiose three years’ programme drawn up by the ambassadors turned out to be little more than a literary exercise, for none of them was empowered to enter into a binding agreement.<sup>5</sup> The failure of the princes’ convention summoned by Alexander VI for 1 March 1500 in Rome<sup>6</sup> finally demonstrated the fact that these papal crusade-congresses—held, or planned to be held, at intervals of about ten years—were as unlikely to yield concrete results as were the

<sup>1</sup> Pastor, VOL. II, pp. 775 f.; Eng. edn., VOL. IV, p. 188: this report of Cardinal Gonzaga clearly shows the current confusion between plans for a Council and plans for a congress.

<sup>2</sup> Platina, *Liber de vita Christi ac omnium pontificum*, ed. Gaida (Città di Castella 1913), p. 404; Raynald, *Annales*, a. 1471, No. 76, speaks of a “concilium” though we learn from the envoy’s letters (Pastor, VOL. II, p. 466; Eng. edn., VOL. IV, p. 217) that there was only question of a congress. For a locality Cardinal Orsini proposed Florence; others suggested Pisa, Pavia or Piacenza, while the Emperor proposed Udine. From the instructions of Cardinal Marco Barbo of 20 May 1472 (*Mon. medii aevi res gestas Poloniae illustrantia*, Lemberg (Lvov) 1874-1902. VOL. II, p. 260) we gather that the plan for a general congress (“universalis diaeta”) had not been entirely dropped even after the despatch of the crusade legates.

<sup>3</sup> The proposal is only known through Frederick’s reply to the legate Auxias de Podio, J. Chmel, *Mon. Hapsburgica*, VOL. I, i (Vienna 1854), pp. 380-3; see Bachmann, *Reichsgeschichte*, VOL. II, p. 669.

<sup>4</sup> E. Piva, “L’opposizione diplomatica di Venezia alle mire di Sixto IV su Pesaro e ai tentativi di una crociata contro il Turco” in *Nuovo Arch. Veneto*, NS V (1903), pp. 49-101, 402-66; VI (1903), pp. 132-72, esp. pp. 139 ff.; Pastor, VOL. II, pp. 564 ff. (Eng. edn., VOL. III, pp. 320 ff.). The arrival of the English envoys is mentioned by Gherardi, *Diarium Romanum*, ed. Carusi (Città di Castella 1904), p. 46.

<sup>5</sup> Pastor, VOL. III, pp. 269 ff. (Eng. edn., VOL. V, pp. 304 ff.).

<sup>6</sup> Pastor, VOL. III, p. 549 f. (Eng. edn., VOL. VI, p. 88 f.). To the literature there quoted must be added the undated invitation to the Grand Duke of Lithuania, *Mon. Poloniae*, VOL. II, p. 266 f. I have not been able to consult A. Suryal Atiya, *The Crusade in the later Middle Ages* (London 1938).

crusade-Councils. The cause of the failure of all these measures lay much deeper. The very notion of a crusade was as good as dead. Rulers and peoples of the West no longer viewed the fight against the Turks as the joint concern of Christendom, but rather as a political and military problem for the countries immediately threatened, such as Hungary, Venice, Naples and the hereditary states of the Habsburgs. Help against the Turks was viewed as a political concession to those directly threatened, and in this transaction the Pope no longer figured as the head of Christendom but solely as one contracting party among others. This was one more proof of the fact that since the reform Councils the idea of the *Respublica christiana*—the Christian commonwealth, as conceived by the early Middle Ages, with the Papacy at its head—was no longer a working reality.

Another proposal with which Pius II and his successors repeatedly countered the requests for a Council also harked back to the mentality of the Middle Ages. This was the assembly of a Papal Council in Rome. The instigator of the idea was none other than Torquemada. Since the Council derives its authority from the Pope, he argues in his *Summa* (III, 16), he need not call the bishops of the whole world for the purpose of taking counsel with them on the affairs of the Church. It is enough if he summons suitable bishops from various provinces of the Church, or in case of necessity only from one. Rome is the appropriate place for a Papal Council of this kind, and its prototypes are the Roman Councils of antiquity under Cornelius, Sylvester, Celestine I, as well as the Lateran Councils of the Middle Ages. In Torquemada's opinion such Councils, composed in accordance with the Pope's judgment and convened in Rome, fulfil all the conditions of a General Council and enjoy the same authority.

The solution was startling in its simplicity. Should the Pope adopt it, he could at any time tell the advocates of a Council that he too wanted one, only he insisted that it should conform to the conditions of the ancient Roman Councils. In this way he escaped the odium of a blunt refusal. A Council of the kind Torquemada had in mind was quite harmless. Exclusively attended by bishops, to the exclusion of other members of the clergy, and convened in Rome, or even in Bologna, it precluded the preponderance of the numerically superior non-Italians, while politically it was in the hands of the Pope: another Basle was impossible.

Pius II was the first Pope to propose a Roman Council with a view to neutralising the agitation for a Council which broke out in France

and Germany after the Mantuan Congress.<sup>1</sup> However, he did not pursue his plan as he had successfully disarmed his opponents by a counter-proposal. At the Diet of Nuremberg his nuncio<sup>2</sup> announced that the Pope was willing, in principle, to agree to a Council; he would not, however, entrust the execution of the reform decrees to the bishops, but to the secular princes. This was hitting the nail on the head! "Be sure of this," Peter Knorr, the Elector of Brandenburg's envoy, wrote to his master, "we clerics do not accept such a Council."

Pius II knew as well as his successors that the proposal to hold a Papal Council in Rome, or in some city within the papal dominions, would not satisfy anyone north of the Alps; that it was, in fact, no more than an expedient to ward off the tiresome demands for a Council, demands which, for the most part, were not even seriously meant. When he was informed of France's appeal to a Council in 1468, Paul II announced that he would summon a Council to Rome in the course of the same year.<sup>3</sup> However, there was no uncertainty about the Pope's real intention. Eugenius IV's nephew, who had fought by the Pope's side against the Council of Basle, did not want a Council at all. Nothing in Platina's impudent protest against the abolition of the College of Abbreviators so roused the Pope's nephew as the threat of an agitation with foreign princes for a Council. It was this point that Teodoro de' Lelli particularly stressed in Platina's interrogation. It was taken up again when the latter was put on the rack for his share in the conspiracy of the Roman Academy.<sup>4</sup> Up to his last days Paul II lived in terror lest the legitimacy of his election should be contested at the forthcoming Diet of Ratisbon (*Christentag*). According to the report of Sigismondo de' Conti,<sup>5</sup> who was certainly not hostile to him, it was due to Francesco Piccolomini, his legate at Ratisbon, that the Pope finally shook off his fears. At the beginning of 1470 Sánchez de Arevalo, a former champion

<sup>1</sup> In March 1461 Pius II announced in consistory that he intended to convene a Council in Rome, Picotti (see above, p. 66, *n.* 3), p. 38; but the matter must have been mentioned even before this date, for the proposal had already been declined in Dauvet's protest of 10 November 1460, Valois, *Sanction Pragmatique*, p. clxxxviii.

<sup>2</sup> Peter Knorr's report, ed. K. Höfler in *Archiv für österreichische Geschichte*, XII (1854), p. 351; Gebhardt, *Gravamina*, p. 50, proves that it does not date from 1451 but from 1461.

<sup>3</sup> Pastor, VOL. II, p. 373 (Eng. edn., VOL. IV, p. 103).

<sup>4</sup> Platina, *Liber de vita Christi ac omnium pontificum*, ed. Gaida, pp. 369 ff.; Zabughin, *Pomponio Leto*, VOL. I (Rome 1909), pp. 84, 89, 306.

<sup>5</sup> Sigismondo de' Conti, *Storie*, VOL. II, pp. 291 ff. Ammanati, who was ill-disposed towards Paul II, regards the early death of the Pope as a punishment for his failure to keep the promise of an early convocation of a Council which he had made in the election capitulation; Pius II, *Commentarii*, Ep. 421, p. 751.

of Eugenius IV and now a confidant of his nephew, published a thesis in which he sought to show that a Council was unnecessary and even harmful. "Away with Councils," he exclaims, "in these days they are nothing but a revolt against the monarchical principle of the Church and against her monarch, the Pope. All the problems submitted to a Council can be solved far more easily by the Pope than by a large assembly. If for any reason a Council is necessary, it must not be convened in France or Germany: Rome is the proper place for it, Rome, the home of all Christians."<sup>1</sup>

In the course of his discussions with Louis XI in 1476, Sixtus IV explained that from the first days of his pontificate he had cherished an ardent desire to hold a Council.<sup>2</sup> He repeated this declaration three years later, adding that to him, as a trained theologian, nothing seemed more desirable than a Council; and it would bring him renown. If he had not called one as yet, it was on account of political difficulties and the opposition of his advisers.<sup>3</sup> "Fair, sweet words," was the caustic comment of Arrivabene, the Mantuan agent. That they do not adequately represent the Rovere Pope's attitude to the question of the Council is evident from his threats against Louis XI and the Medici which accompanied a second pronouncement of his. In this statement the Pope reminded his opponents that the Council is an ecclesiastical assembly presided over by the Pope. Should a Council actually be convened, it would soon become apparent who it was who stood in need of reform: none other, in fact, than the French King, whose own conduct and methods of government were only too well known. If the case of Florence, that is the Medici's proceedings against Cardinal Riario, the Pope's nephew, and against the Archbishop of Pisa, were laid before the tribunal of the Council there could be no doubt that the assembly would make a stand for the independence of the Church which had been violated. The Pope's purpose was clear. Instead of allowing himself to be intimidated, he went over to the offensive and threatened a reform of the princes and action against those who violated the independence of the Church. The Pope's opponents knew very well that on such a topic he would get a sympathetic hearing from the members of a Council!

<sup>1</sup> *De septem quaestionibus*, art. 6, Vat. lib., Barb. lat. 1487, fol. 102<sup>r</sup>; the basic explanation in *De remediis afflictæ ecclesiæ*, cons. 10 f., *ibid.*, fols. 120<sup>v</sup>-122<sup>r</sup>.

<sup>2</sup> Arrivabene to the Margrave of Mantua, 2 May 1476; Combet, *Louis XI*, p. 255. For what follows see also Schlecht, *Zamometič*, pp. 75 ff., 104 ff.

<sup>3</sup> Combet, *Louis XI*, pp. 280-5; Raynald, *Annales*, a. 1478, Nos. 17-27; table of contents in Frantz, *Sixtus IV und die Republik Florenz*, pp. 86 ff.

Like his predecessors, Sixtus IV also was anxious not to have a Council forced upon him. He was afraid that it would seek to curtail the papal authority.<sup>1</sup> His nuncio, Luca de Tollentis, whom he despatched to Trier in 1473, knew what was in the Rovere Pope's mind. In a note which he forwarded together with his official report and which he meant to be destroyed, the nuncio sought to allay the pontiff's anxiety concerning a Council which the Emperor and Charles the Bold were said to be planning.<sup>2</sup> However, he did not succeed in removing the Pope's misgivings. When Cardinal Marco Barbo was about to leave for Germany the Pope insisted on his attending the Diet in order to prevent that assembly from broaching the question of a Council.<sup>3</sup> It was enough for the Venetian envoy merely to mention a Council at the time of the conflict with Florence to earn him a sharp rebuke. Faithful to the tactics which he adopted in other instances, Sixtus IV made an immediate counter-attack. Let the Venetians beware of a Council! With its help he would compel them to give up all the places of the States of the Church which they had unjustly appropriated.<sup>4</sup>

Fear of the spectre of a Council haunted the Rovere Pope during the whole of his pontificate. In the end he encountered it when Zamometič unfurled once more the banner of Basle.<sup>5</sup> Of this, the first

<sup>1</sup> Numerous proofs in the documents printed by Combet and in the Bull against Venice (see above, p. 67, n. 2). Significant for Sixtus IV's personal attitude to the idea of the Council are the marginal notes to the Acts of the Council of Constance in his own hand, in Vat. lat. 1335, to which Finke has drawn attention, *Acta conc. Const.*, VOL. II, p. 9 f. Thus fol. 1<sup>r</sup> (choice of Constance for the assembly of the Council): "Papa habet determinare locum et tempus et solus habet congregare concilium, imo petitur ab eo"; fol. 2<sup>r</sup> (general invitation to co-operate with a view to a reform): "Bonum fuit, sed non deponere papam, quem solus Dominus habet judicare"; the gloss relating to the rules to be observed by the members of the Council shows how strongly he disapproved of the deposition of John XXIII, fol. 2<sup>r</sup>: "Bonum, si fecissent, sed oppositum fecerunt, clamantes contra caput et omnes infamias adducentes, quae non fuerunt facta in conciliis sanctorum patrum."

<sup>2</sup> Appendix to the report of 13 October 1473 from Trier: S. Ljubič, *Dispacci di Luca de Tollentis, Vescovo di Sebenico, e di Lionello Chierigato, Vescovo di Trau, nunzi apostolici in Borgogna e nella Fiandre 1472-88* (Agram 1876), p. 45. The following passage also seems to refer to the Council: "Non est opus, Pater Sancte, capere labores. Instruxi Maguntinum et Treverensem. Res, spero, est in tuto."

<sup>3</sup> Chierigato to Card. Barbo after 24 February 1474, P. Paschini, *Leonello Chierigato* (Rome 1935), p. 36.

<sup>4</sup> Pandolfini to the Ten, 31 May 1479, B. Buser, *Die Beziehungen der Medizeer zu Frankreich 1434-94* (Leipzig 1879), p. 487.

<sup>5</sup> In his *Epistula contra quendam conciliistam* Henricus Institoris, the author of *The Witches' Hammer*, defended the Pope against the accusation that he was an enemy both of Council and reform. Thereupon the secretary of the pseudo-council, Peter Numagen, thrust at him the rhetorical question: "Is there a man who will not say that you are a cursed liar?" J. H. Hottinger, *Historia ecclesiastica Novi Testamenti*, VOL. IV (Zürich 1657), pp. 412 ff., 517.

serious attempt since the Council of Basle to convene another Council, we shall have more to say presently.

In his fight against the threat of a Council Sixtus IV operated from the first with the counter-proposal of a Papal Council at Rome or elsewhere. This was in perfect keeping with what he, a Franciscan and a theologian, conceived to be the essence of a Council. In his view it was like a meeting of a king's counsellors, who remain subject to their master in every respect and are bound to comply with his directions.<sup>1</sup> However, he only had recourse to the proposal for a Roman Council when he could think of no other means to arrest the demand for a General Council. Such a situation apparently arose during the crisis of 1476, when he explained his counter-plan to his confederates Matthias Corvinus, Ferrante of Naples and Charles the Bold. This was a Council to be held at the Lateran, or at Bologna, Ferrara, Mantua or, if need be, at Geneva, "for", he observed, "it is better for one to take action than to allow oneself to be forestalled by others".<sup>2</sup> In the course of the great conflict with France and Florence, 1478-9, the Pope instructed his nuncios with the Emperor to put out feelers, cautiously and without binding themselves, for the purpose of ascertaining what would be Frederick III's reaction to a Council at the Lateran.<sup>3</sup> This non-committal sounding, and above all the fact that the envoy who was being despatched to Spain at the same time was given no corresponding instructions,<sup>4</sup> sufficiently show that Sixtus IV was in no hurry to resort to a Council at the Lateran: the project was for him no more than a last means of escape from an impasse. Consequently, in the instructions for the cardinal-legate Auxias de Podio, who was despatched to the imperial court a little later, the Council had already become a congress of princes to be held at the Lateran. But even in this form the proposal was summarily rejected by the Emperor. "It is unlikely that a sizable number of princes would attend a meeting of this kind," he told the legate.<sup>5</sup>

It may be asked why Sixtus IV did not revert to his original proposal

<sup>1</sup> Autograph marginal note of the Pope to the Acts of the Council of Constance, Vat. lat. 1335, fol. 2<sup>r</sup>: "Nota quod papa statuit et concilium approbat, imo papa est supra concilium, quemadmodum rex est super consilium suum, quod facta per regem approbat."

<sup>2</sup> Rausch, *Die burgundische Heirat Maximilians I*, vol. 1, pp. 146 ff.

<sup>3</sup> Instruction of 1 December 1478, Combet, *Louis XI*, pp. 267-74, the quotation is on p. 274.

<sup>4</sup> Instructions (undated) for Bernard Boil, Combet, *Louis XI*, pp. 275-80.

<sup>5</sup> See above, p. 69, n. 3. The Pope's second reply to the French envoys was worded accordingly; see Frantz, *Sixtus IV und die Republik Florenz*, p. 303.

of a Council at the Lateran at the time of Zamometič's attempt. The answer is obvious: there was no need for the Pope to play his last trump against that improvised undertaking. It collapsed before the active co-operation of some of the great powers and the participation of an appreciable number of bishops had had time to render it dangerous. The quixotic attempt was stifled by diplomatic counter-action.

Innocent VIII did not have to contend with any serious demand for a Council. The threats of Ferrante of Naples had no repercussions and remained mere episodes. The demand only revived under Alexander VI, not only because the election, the conduct and the government of the Borgia Pope provided a pretext, but because he did not even pretend to favour a Council. This explains why the first thing Sigismondo de' Conti hoped for from his successor, Pius III, was a Council, a Lateran Council.<sup>1</sup> The programme which the newly elected pontiff unfolded in consistory was in keeping with these expectations: it held out the prospect of a reform of the Curia, a Council, and war against the Turks.<sup>2</sup> The second Piccolomini Pope was undoubtedly animated by the best will in the world, but like Marcellus II fifty years later, he died before his plans had taken shape. It was the pressure of simultaneous attack from two quarters that wrested from the redoubtable Julius II the Council which his uncle, Sixtus IV, had always managed to avoid and with which he himself, while yet a cardinal, had threatened his opponent, Alexander VI. Demands and threats of a Council did not always come from outside; they arose in the Pope's own house. For this reason, before we turn our attention to the attempt of Pisa and the fifth Council of the Lateran, we must cast a glance at the tensions within the restored Papacy.

<sup>1</sup> Sigismondo de' Conti, *Storie*, VOL. II, p. 291.

<sup>2</sup> All three points are mentioned by Raphael da Volterra, Raynald, *Annales*, a. 1503, No. 15; they were also in the report of the Spanish envoy, Francisco de Royas, as appears from the reply of the Catholic King printed by R. Villa in *Bulletin de la Real Academia de la Historia*, xxviii (1896), p. 365 f. The Venetian envoy, Antonio Giustiniani, only speaks of reform and peace, *Dispacci*, ed. P. Villari (Florence 1876), VOL. II, p. 208. Pius III's lively interest in the question of the Council while he was as yet a cardinal may be gathered from the extract from Juan of Segovia, which Patrizzi prepared for him in 1480: Vat. lat. 4193, fols. 1-201; see *Conc. Bas.*, VOL. I, p. 18.



## Tensions within the Restored Papacy

UNIVERSITIES, reformers and politicians were not the only advocates of a Council with whom the restored Papacy had to contend. These three groups constituted as it were an external front, the pressure of which the Popes countered by forbidding appeals to a Council, by a policy of procrastination, by creating a diversion in the form of crusade-congresses, or by the offer of a Roman Council. However, they were simultaneously faced by an internal front that had taken shape in their own house. The College of Cardinals seized upon the demand for a Council and embodied it in the election capitulations by means of which it hoped to gain influence in the government of the Church and to counteract the absolutism of the Renaissance Popes. The demand for a Council thus became a weapon in the cardinals' silent but stubborn fight for the security of their position in the new distribution of power. The Popes could not afford to underestimate these attempts, all the more so as they found support in the teaching of some canonists both ancient and contemporary. Canonists had not as yet shaken themselves completely free of the conciliar theory, especially with respect to the question of the convocation of the Council; they granted that in certain circumstances this right devolved from the Pope on the cardinals.

A glance at the internal evolution of the College of Cardinals at this period opens yet another perspective. If, on the one hand, we would understand the attitude of the Popes to the question of Council and reform at the beginning of the break-up of religious unity, and to the difficulties with which they had to reckon, and if on the other hand we wish to appreciate the significance of the change for which Paul III paved the way by a reform of the Sacred College, it is imperative that we should be acquainted with the spirit which prevailed both in the College of Cardinals and among the officials of the Curia. Although the restoration had strengthened the Popes' authority, weal and woe of the Church did not lie exclusively in their hands; they were subject to the pressure of their entourage and a tradition several centuries old.

The College of Cardinals' struggle for power was older than the conciliar movement. The College owed its character of a closed

corporation to its exclusive right to elect the Pope, of which it had been in undisputed possession ever since the publication of Alexander III's Bull *Licet de vitanda*. Moreover, thanks to the struggle between Papacy and Empire in the period of the Salians and the Hohenstaufen, as well as to the political activity of individual members as negotiators and legates, it had secured for itself an ever-increasing share in the government of the Church, a share, however, which rested mainly on the Popes' custom of discussing weighty decisions in consistory.<sup>1</sup> In this way the cardinalate rose by slow degrees above the episcopate and became the highest rank of the hierarchy. Of the utmost significance for the cardinals' autonomy was the act of Nicholas IV by which he assigned to them a considerable portion of the papal revenue.<sup>2</sup> The fact that Boniface VIII annulled several episcopal nominations of his predecessor on the ground that they had been made without previous consultation with the cardinals, while Clement V on his part annulled a constitution of Boniface VIII for the March of Ancona for the same reason, led the canonist John the Monk, a member of the College, to lay down in his commentary on the *Liber sextus* the principle that when weighty matters have to be decided the Pope is bound, by prescription, to take counsel with the cardinals in the same way as a bishop is obliged to consult his chapter: if he omits such consultation he acts illegally.<sup>3</sup> This opinion rests on the canonical conception of a corporation: "The Pope is the head of the Roman Church, the cardinals are its members; together they 'represent' the Apostolic See." Nor was he at a loss to discover Biblical justification for such a conception of the relationship between Pope and cardinals. In their day, John VIII and Innocent III

<sup>1</sup> For what follows, see J. B. Säg Müller, *Die Tätigkeit und Stellung der Kardinäle bis Papst Bonifaz VIII* (Freiburg 1896), pp. 170 ff., 215 ff.; also the observations of K. Wenck, in *Göttinger Gelehrten Anzeigen*, CLXII, II (1900), pp. 139-75; for the earlier period H. W. Klewitz, "Die Entstehung des Kardinalkollegiums", in *Z.Sav.R.G.K.A.*, XXV (1936), pp. 115-221. M. Souchon, *Die Papstwahlen von Bonifaz VIII bis Urban VI* (Braunschweig 1888); *id.*, *Die Papstwahlen in der Zeit des grossen Schismas*, 2 Vols. (Braunschweig 1892); J. Lulvès, "Die Machtbestrebungen des Kardinalats bis zur Aufstellung der ersten päpstlichen Wahlkapitulationen. Ein Beitrag zur Entwicklungsgeschichte des Kardinalats", in *Q.F.*, XII (1909), pp. 212-35; *id.*, "Die Machtbestrebungen des Kardinalkollegiums gegenüber dem Papsttum", in *M.Ö.I.G.*, XXXV (1914), pp. 445-83—up to the time of Martin V.

<sup>2</sup> The Bull *Coelestis altitudo* of 18 July 1289, *Bull. Rom.*, VOL. IV, pp. 88 ff., Potthast, *Regesta pontificum romanorum* (Berlin 1873-5), No. 23010; J. P. Kirsch, *Die Finanzverwaltung des Kardinalkollegiums im XIII. und XIV. Jahrhundert* (Münster 1895), pp. 5 ff.

<sup>3</sup> On cap. *Super eo*, in *Sexto de haeres*, v, ii, fol. 319<sup>r</sup>, in the Venice edition of 1585. The *additiones* by Philip of Bourges there printed give a good survey of the pertinent literature.

had compared the cardinals to the seventy elders with whom Moses was wont to take counsel. It was at this time that the opponents of the Pope and, at a later date, the defenders of papal supremacy, such as Aegidius Romanus and Augustinus Triumphus, formulated the thesis: "The cardinals are the successors of the Apostles in the same way as the bishops. If the latter succeed them in the office of preaching, the former succeed them in the office of assistance, which, previous to its dispersion, the Apostolic College had tendered first to Christ and later to Peter."<sup>1</sup>

Aegidius was not out to argue in favour of a limitation of papal authority. In the sequel, the teaching of John the Monk also met with opposition on the part of John Andreae and other canonists. During the Avignon period, when most of the cardinals were Frenchmen, the Sacred College took good care not to put its authority to the test even though it could have looked to the French Kings for outside support such as it never commanded either before or since. The election capitulation of 1352 remained an isolated incident. It had been provoked by the extravagance and autocratic bearing of Clement VI. Everyone realised that the Sacred College could only maintain its position through and with the Pope. The Great Schism revealed the closeness of this common destiny. Born of the numerical superiority of cardinals hostile to Urban VI, it undermined the prestige of both. The Schism was not terminated by the assembly of Pisa organised by the cardinals, but by the Council of Constance convened at the instigation of the Emperor. Constance was a victory for the conciliar idea over the oligarchy of the cardinals.

At Constance it also became apparent that the conciliar theory in no way favoured the cardinals' struggle for an increase of power.<sup>2</sup> They were regarded there as the authors of the unhappy schism and as the men who benefited by the hateful abuses of the curial system. Although their number included such outstanding men as D'Ailly, Zabarella and Fillastre—all of them protagonists of the idea of the Council—they only gradually gained a decisive influence in the course of the negotiations together with the right to participate in the election of Martin V. They also succeeded in obtaining a delay of the reform of the Curia. The reform of the Sacred College, which was agreed upon

<sup>1</sup> Sägmüller, *Kardinäle*, pp. 211 ff.

<sup>2</sup> For pamphlets hostile to the cardinals, see H. Finke, *Forschungen und Quellen zur Geschichte des Konstanzer Konzils* (Paderborn 1889), pp. 86 ff.; Souchon, *Papst-wahlen in der Zeit des grossen Schismas*, vol. II, pp. 145-72.

in concert with the conciliar "nations", was in substantial conformity with the papal proposals.<sup>1</sup>

The reform fixed the number of cardinals at twenty-four; it made various stipulations in regard to their qualifications and their income; all nations were to be considered, but there was not the slightest reference to their co-operation in the government of the Church. The only time the Pope was to be bound to consult the College as such was before the creation of new cardinals. Constance wished to prevent papal absolutism and a new schism, not by means of the constitutional rights of the cardinals, but by the decrees *Sacrosancta* and *Frequens*.

It was left to the Council of Basle, in the course of its second conflict with Eugenius IV, to make the most of the opening it saw in the demand for constitutional rights previously made by the College of Cardinals. Basle went far beyond Constance, for in its twenty-third session it decreed that the Pope was bound to seek the advice of the Sacred College in certain specified cases; it also assigned to each of its three orders the right to supervise some specified department of the administration, and to all three together the right to admonish the Pope.<sup>2</sup> The purpose of the decree was to erect the Sacred College—international in its composition—into a constitutional corporation next to, or rather parallel with, the Council.

The defeat of Basle sealed the fate of the conciliar theory and that of the attempts described above. The latter too came to an end, though not completely, for they enjoyed a literary survival, under various disguises, until the day when the Sacred College itself used them as weapons in its fight against the absolutism of the Renaissance Popes and in furtherance of its own interests.

The literary movement began with D'Ailly's *De potestate ecclesiastica* written in 1416, during the Council of Constance.<sup>3</sup> In this work, D'Ailly developed the above-mentioned opinion of the divine right of

<sup>1</sup> The papal proposal in Hübner, *Constanzer Reformation*, pp. 128 ff.; also the reform tracts and the "Avisamenta" in *Acta Conc. Const.*, VOL. II, pp. 585 ff., 635 ff., 680; VOL. IV, pp. 559 ff.; today I should have to add a good deal to my observations on the various proposals and drafts for a reform of the cardinalate which I made in *R.Q.*, XLIII (1935), pp. 87-128.

<sup>2</sup> Mansi, VOL. XXIX, pp. 116 ff.; *Mon. conc. gen.*, VOL. II, pp. 852 ff.; Hefele, *Conciliengeschichte*, VOL. VII, pp. 631 ff.; for the antecedents, *Conc. Bas.*, VOL. I, pp. 196 ff., 207 f., 216 ff.; VOL. VIII, p. 111 f.; R. Zwölfer in *Basler Zeitschrift*, XXIX (1930), pp. 32 ff.

<sup>3</sup> Dupin, VOL. II, pp. 925-60; see Tschackert, *P. Ailly* (Gotha 1877), pp. 247-56, 354 f.; L. Salembier, *Le Card. Pierre d'Ailly* (Cambrai 1932).

the College of Cardinals according to which they are the successors of the Apostolic College in the first and second phase of its activity, that is in the assistance it gave to Christ up to the Ascension, and after that to Peter.<sup>1</sup> From this notion D'Ailly deduced not only the superiority of the cardinals over the bishops, but their right also, as members of the Roman Church, to take a share in the government of the universal Church and in the event of the Pope's incapacity to intervene actively like St Paul of old, if need be by convoking a Council.<sup>2</sup> D'Ailly is a vigorous defender of the Roman Church. In his opinion the Pope enjoys full jurisdiction over every particular church, yet his authority is not unlimited; it is co-extensive with its usefulness to the churches. For the attainment of this purpose he introduces two constitutional factors besides the Pope, namely the College of Cardinals and the Council. The Council is superior to the cardinals, for it represents the whole Church and thereby constitutes the last and supreme court of appeal for the whole ecclesiastical body.<sup>3</sup> As regards the constitutional rights of the cardinals, he appeals, *inter alia*, to the so-called *Professio fidei* of Boniface VIII.<sup>4</sup>

Unlike the conciliar theory, these ideas were not the signal for a heresy-hunt in Rome. The conflict between Pope and Council was not yet at an end when a Frenchman, Bernard de Rousergue, subsequently Archbishop of Toulouse, renewed it with a book which he dedicated and indeed actually presented<sup>5</sup> to the Sacred College. Basing himself on the doctrine of the *jus divinum* of the cardinalate, and

<sup>1</sup> Dupin, VOL. II, p. 934; see also p. 929.

<sup>2</sup> "Ubi necessitas aut utilitas imminet, pro conservanda fide vel bono regimine ecclesiae ad papam vel in ejus defectu ad cardinales pertinet generale concilium convocare, et hoc eis convenit non tam humana quam divina institutione vice et nomine universalis ecclesiae." Dupin, VOL. II, p. 935.

<sup>3</sup> Dupin, VOL. II, pp. 949 ff.

<sup>4</sup> Dupin, VOL. II, pp. 929 ff. The "Professio fidei" of Boniface VIII says: "Cum quorum (scil. cardinalium) consilio, consensu, directione et rememoratione ministerium meum geram et peragam." Baluze-Mansi, *Miscellanea*, VOL. III, p. 418.

<sup>5</sup> *Liber de statu, auctoritate et potestate R. morum . . . S.R.E. cardinalium et de eorum collegio sacrosancto*, Vat. lat. 4680; 100 leaves—a bad copy dating from the sixteenth century. According to some remarks at the beginning and at the end, the work originated in the sixteenth year of the pontificate of Pope Eugenius IV, viz. in the year of the Incarnation 1446, that is between 11 March 1446 and 15 February 1447, on which day the author was made Bishop of Bazas, Eubel, *Hierarchia catholica*, VOL. II, p. 263. It is directed against those "qui temere in publico locuti sunt et in scriptis tradere praesumpserunt tantum et talem statum ierarchicum . . . fuisse et esse in ecclesia militanti superfluum". For Bernard de Rousergue (de Rosergio, Rosergis, du Rosier), auditor of Cardinal Foix until 1427, and after that successively Bishop of Bazas, Montauban and Toulouse, and who died in 1475, see above all F. Ehrle in *Archiv für Literatur und Kirchengeschichte des Mittelalters*, VII (1900), pp. 429 ff., 496 ff.

applying the principle of a corporation to the Roman Church, he allots to the cardinals a large share in the government of the Church, especially in the appointment of bishops and abbots, the granting of exemptions, the promotion and deprivation of cardinals, the despatch of legates and the alienation of Church property. All this he concedes, though not—and the point is important—as a strict right, but for motives of convenience.<sup>1</sup> In de Rousergue's view the cardinals' right to elect the Pope is theirs because they are the representatives not only of the Roman but of the universal Church. In that capacity they may take action, and are bound to do so, whenever the Pope is prevented from governing the Church or fails to do his duty, or is a cause of scandal.<sup>2</sup> In the event of a schism, or when the Pope neglects or delays to call a Council when there is a pressing need for such an assembly, it belongs to them to convoke it.<sup>3</sup>

Two Italian jurists, Martin of Lodi and Andrew Barbatia, followed in de Rousergue's track in the treatises on the College of Cardinals published by them shortly after the Frenchman's book. The former, who subsequently lectured at Ferrara,<sup>4</sup> replied to the question whether the Pope may take important decisions without consulting the cardinals, with a distinction: *de potestate absoluta* he can do so, but *de potestate condecienti ordinaria et utiliori reipublicae* he must take their advice in accordance with the teaching of John the Monk.<sup>5</sup> As regards the *jus divinum*, Barbatia was more cautious than the rest. He thought that

<sup>1</sup> Details in Vat. lat. 4680, fols. 33<sup>v</sup>-40<sup>v</sup> ("decet, convenit", its omission "non expedit").

<sup>2</sup> Vat. lat. 4860, fols. 72<sup>v</sup>-79<sup>v</sup>; on the latter page we read: "Ad DD. SRE. cardinales pertinet ex potestatis plenitudine providere et rationabiliter obviare quotiens D. papam viderint facto suo universalem ecclesiam Dei notorie et proterve scandalizare."

<sup>3</sup> "Non solum in casu schismatis, sed etiam in casu cuiuscumque magnae urgentis et evidentis necessitatis Romanae ecclesiae vel apostolicae sanctae sedi seu universali ecclesiae militanti imminens (MS *eminentis*), cum D. papa nequiret vel nollet aut differret remediare, DD. SRE. cardinales omnes et singuli possunt, debent et tenentur iure suo se intromittere et apponere remedia opportuna." Vat. lat. 4680, fol. 94<sup>r</sup>. That the "remedia" included the convocation of a Council is proved by the explanation on fol. 83<sup>r</sup>.

<sup>4</sup> Martin's two treatises *De cardinalibus* are in the *Tract. ill. iuriscons.*, VOL. XIII, ii, fols. 59<sup>r</sup>-63<sup>r</sup>. The second, since it is dedicated to Cardinal Agnesi, was drawn up between 20 December 1448 and 10 October 1451; it was printed in 1512, at Pavia, during the conciliar attempt of Pisa. The collection of *quaestiones de concilio* by the same author and dedicated to the future Cardinal Theodore of Montferrat, in Vat. lat. 4129, fols. 171<sup>r</sup>-173<sup>v</sup>, was put together by one of his pupils, since the latter died while the work was being written. According to G. Secco Sardo, "Lo studio di Ferrara a tutto il secolo XV" in *Atti della deput. ferrarese di storia patria*, VI (1894), he was already laid low by sickness on 3 March 1453.

<sup>5</sup> *Tract. alter de card.*, 945, *Tract. ill. iuriscons.*, VOL. XIII, ii, fol. 61<sup>v</sup>.

his opinion was "more tenable" than its contrary.<sup>1</sup> As for the question whether the Pope may take weighty decisions without consulting the cardinals, his answer was in the negative.<sup>2</sup>

Torquemada's adoption in his *Summa* of D'Ailly's teaching on the three "states" of the Apostles and the cardinalate's *jus divinum* based on it, became later a factor of the greatest consequence in the cardinals' struggle for power.<sup>3</sup> Torquemada, it is true, did not draw any conclusions as to the cardinals' constitutional activity in the Church, but these forced themselves on the mind and it only needed an occasion for the effective use of arguments so ready to hand. The occasion arose during the pontificate of Calixtus III. The fight began over a matter of immediate concern for the Sacred College, viz. the creation of new cardinals. When the Pope announced his intention, the Sacred College was up in arms at once. Calixtus III waited until the latter part of the summer when a considerable number of cardinals were out of Rome. On 17 September 1456 he proclaimed three cardinals, two of them nephews of his. In Advent there followed another promotion, this time of six cardinals, all of them members of Latin nations.<sup>4</sup> The three cardinals of the first promotion helped to overcome the opposition of the rest.

The first of the Borgia Popes had had his way, and, like him, his successors had theirs, whenever their choice of new cardinals was opposed by the Sacred College. They had the power, and they took advantage of it; nevertheless, they did their utmost to obtain the assent of the College of Cardinals. The Sacred College was invariably defeated whenever it offered resistance, but this did not discourage it from pursuing the same tactics on the next occasion. These peculiar proceedings need an explanation. In our search for one we enter once more into the sphere of the controversies concerning the distribution of authority in the Church.

<sup>1</sup> *De praestantia cardinalium; Tract. ill. iuriscons.*, VOL. XIII, ii, fols. 63<sup>r</sup>-85<sup>v</sup>, dedicated to Cardinal Bessarion in his capacity as legate at Bologna, hence shortly after 1450. The statements about the "ius divinum" and the distinction of the three "status apostolorum" are on fol. 65<sup>v</sup>.

<sup>2</sup> *De praestant. card.*, q. 2; *ibid.*, fol. 69<sup>r</sup>.

<sup>3</sup> Torquemada, *Summa*, VOL. I, pp. 80 ff.; for the arguments of the opponents "qui illum (scil. statum cardinalium) non a Christo, sed humana inventione asserunt introductum" and their refutation, see c. 82 f.

<sup>4</sup> The account in the printed edition of the *Commentarii* of Pius II, pp. 25 ff., is completed by the pieces printed by J. Cugnoni, *Aeneae Silvii Piccolomini opera inedita*, pp. 498 ff., which are missing in that edition. A few days before the death of Calixtus III, 2 August 1458, Sforza's Roman agent, Antonio da Pistoia, reports that the Pope had intended to create four or five cardinals, among them two Catalans, but that Estouteville, Orsini, Barbo and Mella had opposed him; Pastor, *Ungedr. Akten*, VOL. I, pp. 84 ff.

In the course of the discussions between Calixtus III and the cardinals, the latter had evidently raised the question whether cardinals created in opposition to the advice and the wishes of a majority of the Sacred College enjoyed all the rights of cardinals, particularly the right to elect the Pope. When the Bishop of Torcelli, Domenico Domenichi, who resided at the Curia, was asked his opinion, he replied that personally he felt inclined to answer in the affirmative; on the other hand the arguments for the opposite view appeared to him so weighty that in no circumstances could the Pope brush them aside and thereby expose the Church to the risk of a papal election that might be impeached.<sup>1</sup> Almost more interesting than this conclusion is the line of thought that led up to it, for Domenichi brushes aside all the customary arguments from John the Monk, Boniface VIII's *Professio fidei*, the *jus divinum* of the cardinalate, and the superiority decrees of Constance and Basle. He follows an entirely different track. In his opinion the College of Cardinals derives its right of election (of the Pope) from the universal Church; but the Church's commission is linked to the conditions for the creation of new cardinals laid down by the Council of Constance; hence the Pope is bound to take these conditions into account. That is, he may only create new cardinals *cum consensu cardinalium collegialiter*.<sup>2</sup>

One scarcely trusts one's own eyes! The papalist Domenichi, famous in the opinion of some, notorious in that of others, walks happily in the footsteps of D'Ailly and the adherents of the conciliar theory. If the cardinals' right to elect the Pope really derives from the Church, then the Church in Council assembled may lay down rules for their appointment. The Pope is consequently bound by the corresponding conciliar decree, so that the conciliar theory, which had been driven off, re-enters by the back door. However, there was a weak spot in the

<sup>1</sup> The MSS and the date of the *Tractus de cardinalium creatione* printed by M. A. de Dominis, *De re publica christiana*, VOL. I (London 1617), pp. 767-73, are fully discussed in my as yet unpublished work on Domenichi. The text of prop. XII, which is important in the present context, reads thus in Vat. lat. 5869, fol. 24<sup>r</sup>: "Qui aliter sunt creati, scil. sine consilio cardinalium et assensu majoris partis eorum, in eos non consentit ecclesia, ut sint papae electores pro ea." And more precisely: "Resistentia istorum tamquam principalium membrorum ecclesiae, donec iterum concilium ipsam repraesentans congregetur, significat, quod ecclesia in illos sic pronuntiatos non consentit . . . ergo non sunt veri cardinales" (fol. 24<sup>v</sup>). The note in Domenichi's own handwriting on his agreement with D'Ailly, which he only noticed later, is in Vat. lat. 4120, fol. 70<sup>v</sup>.

<sup>2</sup> "Ideo quaestionem de 'potest' concludo per 'debet', scil. quod papa nullo modo debet sine consensu maioris partis alios creare, ne dubitationes insurgant circa hoc, et non existente alia necessitate exponat periculo factum suum et materiam scandali in ecclesia praebeat." Vat. lat. 5869, fol. 26<sup>v</sup>.



structure of the argument. Domenichi assumed the existence of a decree of the Council of Constance on the reform of the Cardinals' College which made the nomination of new members dependent on the latter's consent. This assumption was not altogether correct because the reform of the cardinals decreed by Constance was part of the concordats. When Domenichi eventually realised his mistake he dropped the argument but he could not prevent the doubts concerning the electoral rights of the cardinals created without the consent of the Sacred College from being revived at a later period.

In 1461, this time by command of Pius II, Domenichi drew up yet another memorial on the question in dispute; but by then the problem had entered a new phase. At the death of Calixtus III the cardinals had drawn up an election capitulation with the object of preventing a repetition, under the new Pope, of certain features of the pontificate of the first Borgia Pope, such as his blatant nepotism and the intolerable arbitrariness of his management of the States of the Church. In conformity with Domenichi's first memorial the Pope-elect swore, among other things, that he would only appoint new cardinals with the counsel and consent of the consistory and with due regard for the decrees of Constance in respect of the qualities required of a cardinal.<sup>1</sup> Pius II evidently felt bound by this oath. On 5 March 1460 he proceeded to his first creation, but only after consultation with the consistory. Thanks to his intellectual eminence and diplomatic skill he obtained its approval for all his candidates,<sup>2</sup> almost all of them men of great merit. They were the younger Capranica, Eroli, Fortiguerra, Alessandro of Sassoferrato, general of the Augustinians, Weissbriach, Archbishop of Salzburg and, lastly, his own nephew Francesco Piccolomini. Two years later, for ecclesiastical-political reasons, Pius II contemplated a second promotion, but this time he met with obstinate resistance. He accordingly weighed the possibility of carrying his point in spite of the cardinals' opposition—hence against the election capitulation. In his second memorial Domenichi assured the Pope that he was not bound in conscience either by his oath, or by the two conciliar decrees.<sup>3</sup> Was this because Domenichi had capitulated to the

<sup>1</sup> Raynald, *Annales*, a. 1453, No. 5; Mansi, VOL. XXXV, p. 128; there is a good fifteenth-century copy in Vat. lib., Ottob. lat. 3078, fol. 158.

<sup>2</sup> The famous scene with Ludovico, the Camerlengo, in Cugnoni, *Aeneae Silvii Piccolomini Opera inedita*, pp. 515 ff.; P. Paschini, *Ludovico card. Camerlengo* (Rome 1939), p. 194; W. Schürmeyer, *Das Kardinalskollegium unter Pius II* (Berlin 1914), pp. 61 ff.

<sup>3</sup> *Consilium in materia creationis cardinalium Mag. Dominici ep. Torcellani ad petitionem S. D. Pii papae II* 1461, Vat. lib., Barb. lat. 1201, fols. 32<sup>v</sup>-55<sup>r</sup>; for the other MSS see p. 83, n. 1.

wishes of the Pope, with whom he had close personal ties? Be that as it may, the fact is that he saw the weakness of an argument which he had formerly regarded as decisive: he accordingly dropped it. However, in practice, the contrast between the second and the first memorial is not so great as might appear at first sight. He continued to press the pontiff to seek the consent of the Consistory as tradition required. Pius II followed the Venetian's advice. He did so most diplomatically. Before communicating the names of his six candidates to the Consistory, he made sure of the assent of a majority by negotiating with each cardinal separately.<sup>1</sup> Once Estouteville, Carvajal, Bessarion, Colonna and the influential Camerlengo had been won over, the opposition of Orsini, Cusa, and the two cardinals created by Calixtus III, Mila and Tebaldi, could no longer be dangerous. The Consistory accepted every one of the Pope's candidates, the first of whom was Jouffroy, Louis XI's favourite. In his disappointment at the subservience of his colleagues Tebaldi exclaimed <sup>2</sup>: "In God's name, then, let there be an end to this dignity! I shall offer no opposition, even if the Pope decides to create three hundred new cardinals." Nicholas of Cusa alone reminded the Pope of his oath to observe the election capitulation. He was sharply called to order: Nothing was farther from him, the Pope exclaimed, than to break his oath!

A change came with Paul II. Always a stickler for external correctness, no sooner was his coronation over than he altered the election capitulation, wresting his signature from each cardinal individually. Carvajal alone had the strength of character to refuse.<sup>3</sup> Ammanati's assertion that the Pope had covered the writing with his hand may be an exaggeration; what is certain is that by such proceedings nothing was saved except appearances. What Paul himself thought—or at least, what he wanted to hear—may be gathered from a treatise by his closest collaborator, Teodoro de' Lelli.<sup>4</sup> This document roundly rejects the pretensions of the Sacred College and contests the arguments on

<sup>1</sup> The account in Pius II, *Commentarii*, BK IV, should be supplemented by Cugnoni, *Opera inedita*, pp. 530-4; Schürmeyer, p. 67, is very one-sided.

<sup>2</sup> Cugnoni *Opera inedita*, p. 534.

<sup>3</sup> Ammanati in Pius II, *Commentarii*, pp. 371 ff.; Ep. 181 to Paul II, undated, *ibid.*, pp. 603 ff.

<sup>4</sup> J. B. Sägmüller, *Ein Traktat des Bischofs von Feltre und Treviso, Teodoro de' Lelli, über das Verhältnis von Primat und Kardinalat* (Rome 1893). The editor thinks the work was composed in the autumn of 1464, but the fact that the magnificent MS, Vat. lat. 4923, from the library of Cardinal Sirleto, is dedicated to Pius II, points to an earlier date. This MS was unknown to Sägmüller. It can hardly be identical with the "impudens consilium" mentioned by Ammanati (Ep. 423) of which Paul II took cognisance previous to the alteration of the election capitulation.

which they rested, from John the Monk's right of prescription to Torquemada's *jus divinum*. The high water mark of the monarchical reaction was reached in Sánchez de Arevalo's rejection of the idea of the Council and in Lelli's condemnation of the pretensions of the cardinals. It was these two collaborators of Paul II—not Torquemada—who were the keenest champions of papal absolutism in the era of the restoration. They were presently joined by Barbatia. In a *consilium* addressed to Borso d'Este, but presumably intended for the Pope, the latter asserted that the election capitulation was null in law. John the Monk's appeal to prescription he refuted by pointing to the contrary practice of the last Popes.<sup>1</sup>

The attitude of Paul II, and that of his successors, to the election capitulations as well as to the claims of the Cardinals' College which they embodied, was inspired by these considerations. Without exception the Popes rejected every restriction of papal power. They refused to acknowledge the validity of the restraints of a spiritual kind that had been laid on them, such as oaths, pledges, threats of excommunication, and that of external means of control imposed by the election capitulations since 1464, such as the monthly reading of the capitulations in Consistory, the inquiry twice a year by a commission of cardinals into their execution, the admonition to be administered to the Pope should it be ascertained that he had infringed them.<sup>2</sup> All this was dropped: it had to be dropped if the Papacy was to preserve its true character.

However the nomination of new Cardinals was the one point of the line where the cardinals continued to venture forth. The election capitulation of 1464 no longer appealed to the Council of Constance but embodied the relevant stipulations of the concordats.<sup>3</sup> Only in the

<sup>1</sup> Andreas Barbatia, *Consilia sive responsa*, VOL. I (Venice 1581), fols. 2<sup>r</sup>-15<sup>r</sup>, composed sixteen years after the above-mentioned treatise *De praestantia card.*, that is about 1466-7 and previous to the creation of 18 September 1467. There (fol. 13<sup>r</sup>) we read: "Quod papa non tenetur in arduis requirere consilium cardinalium . . . est opinio communis et ita videmus de facto observari", both by Calixtus III, who decided "multa ardua" without the cardinals, and by Pius II—"ita communiter audiui dici."

<sup>2</sup> The internal conditions are the theme of a tract by Felinus Sandaeus: *De modis et formis quibus futurus pontifex ad observantiam promissorum possit adstringi*, published by Mansi, VOL. XXXV, pp. 119-22. The tract was probably written towards the end of the century. Among these conditions are the following: 1. A vow to God and to the Apostles Peter and Paul; 2. an oath; 3. a contract between Pope and cardinals in the form of a legal instrument of which a duly authenticated copy is given to everyone concerned; 4. admission of only such conditions as the Pope is bound to submit to "ex obligatione naturalis charitatis"; 5. subjection to the Council in the event of non-observance; 6. anathema.

<sup>3</sup> According to Ammanati in Pius II, *Commentarii*, p. 371.

fourth year of his pontificate did Paul II succeed in overcoming the resistance of the Sacred College, when he created eight new cardinals and two more in the following year.<sup>1</sup> Among them were his nephews Barbo, Zeno and Michiel, in point of fact all three worthy men; also Oliviero Carafa, who became the strongest pillar of the College and the moving spirit in every reform within that body; the excellent Agnifilo, and Francesco della Rovere, the future Pope. It is evident that both in regard to the number as well as to the selection of the candidates Paul II proceeded with circumspection. He refused to be tied by the election capitulation but kept within self-imposed bounds.

Under Sixtus IV even these collapsed. Although the capitulation of 1471 contained the rigid clause that cardinals whose creation had not conformed to its stipulations would not be regarded as cardinals once the Pope was dead and would have neither active nor passive vote at the election,<sup>2</sup> he created in the course of his pontificate of thirteen years no fewer than thirty-four cardinals—including six nephews, and what nephews! Even now opposition was not wanting on the part of the College. On 16 December 1473, after a debate lasting three hours, the Consistory refused to give the Pope a blank cheque for the nomination of new cardinals.<sup>3</sup> Three years went by before he took steps for another creation. The promotion of George Hessler, the favourite of Frederick III, a man born out of wedlock, met with sharp opposition.<sup>4</sup> The letters of Cardinal Ammanati give a lively picture of the contests and intrigues within the Sacred College and of the failure of every effort to arrest so calamitous a development: "There is no purpose in fighting", he wrote in a dispirited mood to Cardinal Gonzaga towards the end of 1476, "and I have no mind to do so. Often enough I have been left in the lurch in the thick of the battle. I no longer have any desire to get involved in a hopeless struggle and, old as I am, to waste my strength; either I fall in with the views of those who speak before me, or I leave the decision to the Pope."<sup>5</sup> There were only too many reasons for Ammanati's mood of resignation. The pontificate of the Rovere Pope marked the opening of an outwardly brilliant period in the history of the Sacred College, an epoch destined to contribute

<sup>1</sup> See Pastor, VOL. II, pp. 387 ff. (Eng. edn., VOL. IV, pp. 120 ff.).

<sup>2</sup> Vat. lat. 12192, fol. 205<sup>v</sup>.

<sup>3</sup> Ammanati, Ep. 540 (to Fortiguerra, 16 December 1473); from Ep. 538 we gather that Estouteville, Orsini, Giuliano della Rovere and Calandrini were regarded as the sharpest opponents of a new promotion.

<sup>4</sup> Ammanati, Ep. 514f., 623.

<sup>5</sup> Ammanati, Ep. 657.

greatly to the development of the arts,<sup>1</sup> but also one that was to be disastrous for the Church. The great cardinals of the Basle period had died one after another: Domenico Capranica in 1458, Nicholas of Cusa in 1464, Ludovico, the Chamberlain, in 1465, Torquemada in 1468, Carvajal in 1469, Bessarion and Fortiguerra in 1473. Thus it came about that the favourites of Louis XI and, later on, those of Charles VIII—men like Balue, Briçonnet, Amboise; the sons of Italian princes of the houses of Aragon, Gonzaga, Este, Medici, Sforza; Roman barons bearing the ancient names of Colonna, Orsini, Savelli, obtained a preponderance over those members of the Sacred College whose character was that of true churchmen.

The forty-three creations by Alexander VI raised the number of cardinals to almost double the twenty-four that had been stipulated for at Constance. There were forty-five in 1503. With insignificant exceptions all of them belonged to the Latin nations. The creations of the Borgia Pope included seventeen Spaniards, among them five members of his own family; as many Italians; six Frenchmen, one Englishman, one Hungarian and one Pole. To this was added an even more disturbing circumstance. The papal master of ceremonies, Burchard of Strasbourg, was in a position to state the exact sum with which those nominated on 28 September 1500 had bought their dignity.<sup>2</sup> The highest dignity of the hierarchy had apparently become marketable, as had the offices of the Curia.

This latest development in the situation was not passively accepted by the Sacred College. Eleven cardinals absented themselves from Alexander's first large-scale promotion on 20 September 1493, by way of protest, and ten others withheld their consent even in the next Consistory. They maintained that the men created in these circumstances were not cardinals at all and they declined their visits. Thereupon the Pope threatened to create yet more cardinals to spite the opponents. This silenced the opposition.<sup>3</sup> The Venetian ambassador, Capello, was of course right when, in 1500, he wrote to the Signoria: "Without the Pope the cardinals are helpless."<sup>4</sup> Alexander VI merely laughed whenever the aged cardinal of Portugal contradicted him in Consistory.

<sup>1</sup> As against the brilliant description in E. Steinmann, *Die Sixtinische Kapelle*, VOL. I (Munich 1901), pp. 27-48, the religious aspect, in my opinion, should be more strongly emphasised than was done by Pastor, VOL. II, pp. 479 f., 633 ff. (Eng. edn., VOL. IV, pp. 197, 432 ff.).

<sup>2</sup> Celani, VOL. II, pp. 242 ff.

<sup>3</sup> Despatches of the Mantuan agent in Rome, G. Lucido Cattanei, of 18, 20 and 23 September 1493, published by A. Luzio in *Arch. storico lombardo*, XLII (1915), pp. 416 ff.

<sup>4</sup> Albèri, *Relazioni*, VOL. II, pp. 3, 5.

A situation like this could not fail to provoke a reaction. The election capitulation drawn up after Alexander VI's death sought to recover for the cardinals at least a limited share in the government of the Church and her States.<sup>1</sup> In view of the new creations which were bound to take place they hit on a novel remedy. Henceforth there were to be two degrees in the cardinalate. The old members would enjoy all the privileges of the Sacred College, without any restriction, but the right to vote of those newly created would be suspended for a time, that is, until the number of the old cardinals should have fallen to twenty. The new cardinals would not be allowed to vote at all in three circumstances, viz. in the creation of new cardinals, in the alienation or the collation of property of the Roman Church, and whenever the observance of the election capitulation was under discussion. Subsequently they were to swear observance of the capitulation.<sup>2</sup> The cardinals' purpose is obvious. They were anxious to have a say in the filling up of their ranks and to prevent a repetition of Caesar Borgia's attempt to secularise the States of the Church. It is equally evident that their plan could not be carried through. In point of fact, things took a very different turn. That masterful personality, Julius II, restored the States of the Church single-handed, and he was less inclined than any of his predecessors to allow the Sacred College to meddle with his schemes. All the cardinals' protests were in vain. In the winter of 1504, when Julius announced his intention to add others to the four cardinals he had created the year before, the election capitulation was read out and thus recalled to memory in the Consistories of 4, 8 and 11 November 1504, thanks to the efforts of Carafa. At this time the cardinals were spoiling for a fight; they refused to be treated "like youngsters (*ragazzi*)"; they insisted on being dealt with as brethren. Carafa hinted that, should the need arise, Christian princes would defend the freedom of the Church.<sup>3</sup> However, Julius II was not the man to be intimidated by such threats; he even found a canonist prepared to justify his conduct. Cardinal Sangiorgio took over the role at one time played by Domenichi and Lelli: he assured the Pope that he was not bound by the election capitulation. So all that could be

<sup>1</sup> Vat. lat. 12343, fol. 58<sup>v</sup>. The Pope undertakes not to grant to a lay person any kind of jurisdiction in important matters, whether of a spiritual or a secular nature (in view of Lucrezia Borgia's temporary position); not to expedite any consistorial business without the assent of a majority of the Consistory and to demand an oath of loyalty to the Sacred College from the captains of all the castles of the Papal States.

<sup>2</sup> Vat. lat. 12343, fol. 58<sup>v</sup>, also in Julius II's election capitulation, Raynald, *Annales*, a. 1503, Nos. 2-9; Thuasne, vol. III, pp. 295-98.

<sup>3</sup> Giustiniani, *Dispacci*, ed. Villari, vol. III, pp. 285 ff., 289 ff.

obtained was a postponement of the promotion. A year later, on 1 and 12 December 1505, nine candidates were raised to the purple, including two of the Pope's nephews.

In the period of the restoration the Sacred College did its utmost to retain, and even to enlarge, the all but constitutional authority which it had acquired during the Schism; but these efforts were in vain. The election capitulations were rearguard actions, not offensive strokes. They were backed by the theories of the Roman Church current in the late Middle Ages and in the era of the Councils and were only overcome by slow degrees. While a truly princely, hitherto unknown splendour surrounded the wearers of the purple and their familiars were numbered by the hundred, and one magnificent cardinal's palace after another rose out of the soil of Rome, the influence on the fortunes of the Church of the corporation as such was on the decline. This decline was inevitable, for it was due both to the fact that an ever-growing number of its members was no longer prepared to strive for the common good, and to the weakening of those Christian principles by which every institution in the Church justifies its existence.

The *capitula privata* which had been included in every election capitulation since the conclave of Sixtus IV were the outcome of the narrow, short-sighted egoism that was now abroad in the Sacred College. By means of these *capitula* the cardinals pressed their personal demands on the pontiff, sought financial advantages and courted honours and distinctions. It almost seemed as if they could only think of their own private interests. However, this would be a wrong judgment. In their fight for their ecclesiastical and political influence the interests of the Church were also at stake. The nepotism and the obsession with purely political considerations which are characteristic of most of the Renaissance Popes jeopardised these interests. The *capitula publica* of the election capitulations embodied a goodly part of the legitimate criticism which the conduct of the Popes called forth on the part of public opinion in the *Respublica christiana*. On the very eve of the Council of Trent Bartolomeo Guidiccioni, himself a convinced upholder of the Curia, openly admitted that the Church would have been preserved from a great deal of harm if the Popes had acted in accordance with them.<sup>1</sup> Not to mention the nepotism which provided the families

<sup>1</sup> "Capitula in conclavi fieri solita magna laude observabis." Vat. lib., Barb. lat. 1165, fol. 137<sup>r</sup>. Lulvès, too, says that certain recurring chapters of the election capitulations constitute "the permanent element in this development as against the variations due to the character of individual Popes": *Q.F.*, XII (1910), p. 233.

of the Rovere, Gibò, Farnese, with principalities carved out of the States of the Church, and led the Medici back to Florence, how greatly would the Church have benefited by a curtailment of the concessions made to secular princes from political motives—such as the right of nomination or proposal for bishoprics and abbeys, or requests for the removal of inconvenient prelates!<sup>1</sup> These concessions gradually drove the clergy into the arms of the state and prepared the ground for regalism in one country, for Protestantism in another. The cardinals' demand for a guarantee of their personal freedom in the interests of a free expression of opinion was by no means superfluous when they had to deal with men like Alexander VI and Julius II.<sup>2</sup> The demand that the Consistory should be heard in the nomination of bishops held out no guarantee that the best men would be appointed; it could, however, prevent many a mistake; moreover, it pointed in the direction which ecclesiastical legislation was eventually to take when it evolved the procedure known as the informative process.

It cannot be denied that more than once, when they stressed the papal supremacy in order to counter the remonstrances of the cardinals, the Popes merely sought to cover up their unblushing nepotism or their excessive personal arbitrariness. A more effective intervention by the Sacred College—without prejudice to the supremacy—would have had beneficial results. The cardinals were the mouthpiece of public opinion in the fullest sense of the word when, by means of capitulations, they demanded a Council, reform and war against the Turks. From the middle of the century these three articles headed every capitulation and they practically never changed, except for a few extraordinarily revealing variations. The election capitulation of 1458 obliged the Pope to undertake a crusade and a reform of the Curia, in so far as this lay within his power; there was no mention as yet of a Council.<sup>3</sup> Only after the death of Pius II, who did not favour the idea, did Article IV make it the Pope's duty to summon a Council within a period of three years. In Chapter I the revenues of the recently discovered alum mines at Tolfa were set apart for the war against the Turks.<sup>4</sup> One effect of Paul II's pontificate was that his successor was allowed only the short period of three months, to be reckoned from his coronation, for a

<sup>1</sup> Vat. lat. 12192, fols. 206<sup>v</sup>-207<sup>r</sup> (c. 7-9).

<sup>2</sup> *Ibid.*, fol. 207<sup>r</sup> (c. 10).

<sup>3</sup> Raynald, *Annales*, a. 1458, No. 5; Mansi, vol. xxxv, p. 128; a good copy in Vat. lib., Ottob. lat. 3078, fol. 158.

<sup>4</sup> Ammanati, in Pius II, *Commentarii*, p. 371; Raynald, *Annales*, a. 1464, No. 52.



beginning of a reform of the Curia, to be carried out in conjunction with the College of Cardinals.<sup>1</sup> Within three years, and likewise in consultation with the cardinals, a Council must be convened. This assembly must be modelled on the ancient Councils, not on those of the reform period. Its task would be to organise a crusade and to promote a reform of the whole Church in matters of faith and morals, in every estate including the secular princes.<sup>2</sup>

While the injunction relative to the reform of the Curia was embodied in all subsequent capitulations without any variation, so that it became a stereotyped formula, the ever-recurring threats of a Council by foreign powers caused the article concerning the Council to be recast in 1484. With a view to putting spokes in the wheels of the future Pope's opponents,<sup>3</sup> the clause about the time-limit of the Council was omitted and replaced by a non-committal "as soon as possible". A contrary tendency made its appearance after the pontificate of Alexander VI. Their experiences during the Borgia Pope's reign convinced the cardinals of the necessity of an early convocation of a Council. It should meet within two years of the election, at a place decided by a two-thirds majority of the Sacred College. The same majority would be required to establish the existence of an obstacle that would dispense from the obligation of summoning the assembly.<sup>4</sup> Its task would be the restoration of peace, the reform of the Church, the preservation of ecclesiastical immunity and a crusade.

It is evident that by means of this article the Sacred College attempted to make the Council its own affair. It judged the convocation

<sup>1</sup> Vat. lat. 12192, fol. 205<sup>r</sup>.

<sup>2</sup> "Item quod intra triennium concilium generale celebrabit seu celebrari faciet solemniter secundum formam antiquorum conciliorum in loco tuto et comodo, prout ei visum videbitur, et consultum fuerit per maiorem partem DD. cardinalium, a concitandum principes et populos ad defensionem fidei et generalem contra infideles expeditionem, ac ad reformandam universalem ecclesiam circa fidem, vitam et mores, tam respectu clericorum saecularium et regularium quam religiosorum etiam militarium (MS etc. *militarunt*), et tam respectu principum temporalium quam communitatum in et super eo, quod pertinebit ad iudicium et provisionem ecclesiae." Vat. lat. 12192, fol. 205<sup>r-v</sup>.

<sup>3</sup> Celani, VOL. I, p. 40.

<sup>4</sup> "Item quia ad pacem christianorum et ecclesiae reformationem ac reductionem multarum exactionum, expeditionem quoque contra infideles plurimum convenit concilium generale celerius congregari, promittet, iurabit et vovebit intra biennium a creatione sua illud indicere et cum effectu incipere in Italia in loco libero et tuto, determinando per eum et duas partes R. morum DD. cardinalium, nisi evidentissimum impedimentum obstiterit, quod a duabus partibus DD. cardinalium per suffragia balotarum iudicetur." Vat. lat. 12343, fols. 58<sup>v</sup>-59<sup>r</sup>. In Julius II's capitulation the words "in Italia" are missing, Raynald, *Annales*, a. 1503, No. 6.

of a Council to be necessary and wanted to have a say in the final decision. It may be that it even considered the possibility, should the occasion present itself, of playing it off against the Pope. The fact is that the pontificate of Alexander VI drove the cardinals into the ranks of those who appealed to a Council.

In this way the demand for a Council entered a new stage. According to the teaching of reputable canonists the College of Cardinals ranks first among the bodies concerned in an emergency convocation of a Council. If a Council could ever be convoked without the Pope, it was best done with the help of the cardinals. Before we discuss this opinion of the canonists one point must be made clear. Although the canonists grant the possibility of the convocation of a Council without the Pope, and in certain emergencies even in spite of him, it does not follow that they are in opposition to him on the question of authority. They do not abandon their own principle that the Pope is above the Council and that its convocation regularly belongs to him. For them the convocation of a Council without the concurrence of the head remains an emergency measure. Its subsequent authorisation by the Pope is by no means excluded and in no hypothesis do they claim for the Council any juridical power over the Pope.<sup>1</sup> Their chief concern is to provide some kind of security against imminent disaster.

The idea of the Council as an ecclesiastical emergency measure originated, of course, in the period of the Schism and the reform Councils. The early Middle Ages knew of only one circumstance in which the Pope forfeited the right of convocation together with all other rights: namely if he fell into heresy and obstinately persisted in it.<sup>2</sup> In such an eventuality he ceased to be Pope, since his heresy placed him without the Church and his authority devolved upon the Church. It then became the Council's duty formally to establish the fact that such was the case and to provide for a substitute. However, the gloss

<sup>1</sup> Jacobazzi has singled out this point: "Posito quod non possit concilium privare papam propter crimen scandalizans ecclesiam universalem, tamen non sequitur quod non sit causa sufficiens ad congregandum concilium." In his motivation he says: "Posset contingere quod (papa) convictus viso scandalo corrigeretur, vel saltem eum ecclesia toleraret cum maiori patientia." *De concilio*, lib. iv, art. 2, in the first edition (Rome 1538), pp. 195, 197.

<sup>2</sup> Sägmüller, *Kardinäle*, pp. 233 ff.; Martin, *Gallicanisme*, vol. II, pp. 12 ff. What follows is from Augustinus Triumphus, *Summa de ecclesiastica potestate*, q. 5, art. 6. In arts. 3 and 4 Augustinus expressly rejects simony or some "crimen" as a reason for deposition, pp. 49 ff. in the edition used by me (Rome 1585), p. 49.

attached to the decree had already raised the question<sup>1</sup>: "Why may not the Pope be accused of other offences, if, in spite of admonitions, he does not amend and continues to give scandal to the Church?" Obstinacy identical with heresy! At that time, that is in the thirteenth century, the road thus hinted at had not been pursued any further; it was only in the period of the Schism that other analogous instances were added to this extreme one. Starting from the notion that the Pope's power exists for the sake of the Church, the Church must surely be in a position to take action, through the Council, in the event of his being no longer able to exercise his authority, for instance, if he becomes mentally deranged, or if he misuses it and thereby imperils the peace and harmony of the Church. The leaders of Gallicanism at Constance, D'Ailly and Gerson, were familiar with these notions,<sup>2</sup> but the canonists of the restoration were less impressed by them than they were by the teaching of the great Italian jurists of the conciliar period.

Zabarella maintained that in the event of a schism the right to summon a Council devolved either on the Emperor or on the cardinals. In conjunction with the gloss of the conciliar decree he laid down the following thesis<sup>3</sup>: "The Pope may be impeached for any notorious crime, should he prove incorrigible and give scandal to the Church: in such circumstances he must be regarded as a heretic." Ludovicus Romanus professed similar opinions. To the question whether a Pope guilty of public crimes and incorrigible may be deposed by the Council, he unhesitatingly replied in the affirmative.<sup>4</sup> Weightier even than the authority of these two canonists is that of Panormitanus. In his opinion, appeal from the Pope to the Council is lawful not only when the pontiff falls into heresy, but also when he gives scandal, or by mandate or juridical sentence alters the status of the universal Church

<sup>1</sup> The gloss to c. *Si papa* D. 40 reads as follows in the Lyons edition of 1543, fol. 44<sup>r</sup>: "Quod intelligit Hugo, cum papa non vult corrigi. Si enim paratus esset corrigi, non posset accusari . . . Sed quare non potest accusari de alio crimine? Ponamus quod notorium sit crimen eius vel per confessionem vel per facti evidentiam, quare non accusatur vel de crimine simoniae vel adulterii, etiam cum admonetur, incorrigibilis est et scandalizatur ecclesia per factum eius? Certe credo, quod si notorium est crimen eius quodcumque et inde scandalizatur ecclesia, et incorrigibilis sit, quod inde possit accusari."

<sup>2</sup> Gerson, *De pot. eccl. consid.*, VIII and IX, Dupin, VOL. II, p. 243; D'Ailly, *De pot. eccl.*, PT I, ch. 3, and PT III, ch. I; Dupin, VOL. II, pp. 935, 949; see Fincke, *Forschungen und Quellen zur Geschichte des Konstanzer Konzils*, pp. 93 ff., 124 ff.; Tschackert, *D'Ailly*, pp. 247 ff., 354 f.

<sup>3</sup> F. Zabarella, *De schismate*, in *Repertorium*, on ch. "Licet X de elect." I, 6 (Lyons 1558), fol. 100<sup>r</sup>. G. Zonta, *F. Zabarella* (Padua 1915), pp. 123 ff., is inadequate.

<sup>4</sup> L. Romanus, *Consilia sive responsa* (Venice 1568), fols. 385<sup>r</sup>-387<sup>r</sup> (cons. 523).

and thereby endangers her good order.<sup>1</sup> The latter case was the most elastic of all, for it meant that a state of emergency, which could only be remedied by a Council, might be brought about not only by a *crimen* of the Pope, or by a schism in the Church, but by any grave danger to the good order of the Church in consequence of some measure taken by her supreme head. These ideas were all born of the Schism and the conflict between Pope and Council. But they offered wide possibilities of application apart from such a situation. The Council was a recognised safety-valve, but the concept of a state of emergency in the Church had been widened to a most alarming extent. The authority of such luminaries of the science of Canon Law as Zabarella and Tudeschi did not fail to impress even canonists hostile to the conciliar theory.

Already Piero da Monte, in his very first work, had hinted at the possibility of a Council not called by the Pope being subsequently legitimised by him. In his opinion the right to convoke a Council in a state of emergency belongs to the Emperor in the event of a schism, or to the cardinals if the public good requires it. But before acting both parties must request the Pope to make the convocation.<sup>2</sup> "The public good"—what an elastic notion!

Even Torquemada makes an observation which points in the same direction. "If the Christian faith or the welfare of the whole Church are in danger, and the Pope obstinately refuses to convene a Council, he renders himself suspect of heresy." This sentence enunciates the classical exception to the rule which reserves convocation of the Council to the Pope: this right is then said to devolve on the cardinals.<sup>3</sup> "The welfare of the whole Church in danger!" This too is very vague. However, Torquemada was more careful than Piero da Monte to safeguard the papalist principle. The Pope's refusal to convoke a Council

<sup>1</sup> Abbas Panormitanus, *Consilia, tractatus, quaestiones* (Venice 1578), fols. 186<sup>v</sup>-188<sup>r</sup> (q. 1 dubium 2).

<sup>2</sup> Piero da Monte, *De potestate Rom. pontificis et gen. concilii*, PT i, q. 2, used by me according to the text of Vat. lat. 5607, fol. 132<sup>r</sup>. The reprint of 1512 at Lyons, under Gallican influence, has a significant title-page: it shows the Pope standing before the chair of a jurist.

<sup>3</sup> Torquemada, *Summa de ecclesia*, BK III, 8 ad 3. The Sienese jurist Galgano Borghese, in his work *De potestate summi pontificis*, dedicated to Pius II and written, it would seem, in the year 1458, states that the meeting of a Council is necessary in the following five cases: 1. If a definition of a point of faith is required; 2. if the Pope is a heretic; 3. si papa sit criminosus incorrigibilis, ita ut ecclesia scandalizetur; 4. si papa constituerit aliqua contra concilia, quod deturparet seu decoloraret statum universalis ecclesiae; 5. si faceret aliquod statutum quod esset scandalosum. Vat. lat. 4129, fols. 8<sup>v</sup>-9<sup>r</sup>.

in a serious crisis renders him suspect of heresy—the classical exception—but in practice, he opined, a situation of this kind is not likely to arise.

Such optimism was not shared by the leading canonists of the next generation. The possibility of a Pope misusing his authority and neglecting to deal with pressing ecclesiastical affairs caused the contemporaries of Sixtus IV and Alexander VI a great deal of anxiety. A careful study of the earlier literature, such as had not previously been undertaken, was facilitated by the diffusion of printed books, and had acquainted them with the thoughts of the jurists of the period of the Councils on this subject. Felinus Sandaeus indeed observes some restraint in his commentary on the decretals, but an examination of his sources<sup>1</sup> shows that he was as familiar with Tudeschi and Ludovicus Romanus as with Piero da Monte and St Antonino of Florence. “The canonists”, he writes, somewhat impersonally, “assign to the Council authority over the Pope if he deserves to be deposed.”<sup>2</sup> In the memorial already mentioned, which he drew up for Innocent VIII,<sup>3</sup> he grants, as does Torquemada, that when some grievous peril threatens the Church, and the Pope refuses to convoke a Council, such an assembly may be convened against his will if the danger requires it; by his refusal the Pope renders himself suspect of heresy.

Between 1486 and 1502 Felinus was an auditor of the Rota and from the seventh year of the pontificate of Innocent VIII also a referendary of the Segnatura. He died in 1503 as Bishop of Lucca.<sup>4</sup> His no less distinguished contemporary Sangiorgio, sometime Professor of Canon and Civil Law at Pavia, rose to the dignity of the cardinalate under Alexander VI.<sup>5</sup> He too is a thorough-going papalist. In his commentary on the first part of the *Decretum*,<sup>6</sup> written while he was still in Pavia, he adopts in the main Torquemada's teaching on the relation between the two powers, but whereas the latter deems it impossible in practice that a Pope should refuse to summon a Council even though imminent peril threatened the Church, Sangiorgio boldly faces

<sup>1</sup> Felinus Sandaeus, *Com. in V libros decretalium* (Basle 1565), p. 770, on c. “Nonnulli X de rescript.”, BK I, iii.

<sup>2</sup> *Ibid.*, p. 652, on c. “Super litteris X de rescript.”, BK I, iii. Felinus quotes Dominic of San Gimignano for the opinion that “in casu necessitatis possunt praelati congregare concilium irrequisito papa”.

<sup>3</sup> Vat. lat. 5607, fol. 121<sup>v</sup>, in connexion with a controversy with Panormitanus.

<sup>4</sup> N. Hilling, “Felinus Sandaeus, Auditor der Rota” in *A.K.R.*, LXXXIV (1904), pp. 94-106.

<sup>5</sup> Schulte, *Die Geschichte der Quellen*, vol. II, pp. 348 ff.; Cerchiari, *Sacra Romana Rota* (Rome 1920-1), vol. II, pp. 69 ff.; Katterbach, *Referendarii*, p. 44.

<sup>6</sup> J. A. de S. Georgio, *Lectura super 101 distinctionibus* (Rome 1493), fols. 88 and 102 ff., on dist. 15 and 17.

such a possibility. He even supposes the other, more deplorable eventuality—that the Pope may do grievous harm to the Church by his conduct and scandalise Christian people. If this happens, it is the duty of the cardinals to admonish him and to resist unjust and harmful measures; when all other remedies have proved unavailing they must convoke a Council. However, it is not the Council's business to judge the Pope, as the conciliar theory taught. Its duty is to admonish him, to pray for him, and to take practical steps so as to prevent further harm. To this end it should invoke the secular arm, above all the Emperor's. In the first case, when the College of Cardinals, acting as the "Chapter of the universal Church", and after a previous but fruitless admonition of the Pope, decides to convoke a Council in order to meet a grave danger, it must once more request the pontiff to take part in the assembly or at least to sanction it. Should he refuse even that much he is suspect of heresy and must be deposed.

Domenico Jacobazzi discusses even more fully than either Felinus or Sangiorgio the convocation of a Council in an ecclesiastical emergency. He too had served the Popes for a whole lifetime, as an auditor and as Dean of the Rota, as a referendary under Julius II and Leo X, as a canon of St Peter's and Vicar of Rome, when in 1517 he received a cardinal's hat. His book on the Council was long regarded as a classic and was included in Mansi's collection of the Councils.<sup>1</sup> Its interest for us is all the greater for its having been written as late as the

<sup>1</sup> Domenico, son of Cristoforo Jacobazzi, born in Rome in 1458, or perhaps a little earlier, began his career as auditor with the papal governor of Bologna. By 1489 he was a consistorial advocate (Celani, VOL. I, p. 256). On 7 January 1493 he was admitted as an auditor of the Rota (Celani, VOL. I, p. 391; the interrogation of witnesses on 11 December 1492 in Cerchiari, *Sacra Romana Rota*, VOL. II, p. 76). He became dean of that tribunal on 14 February 1506. Previously to this, perhaps in view of his services during the vacancy of the Holy See (Celani, VOL. II, pp. 367 ff.) he had been made a canon of St Peter's and referendary of the Segnatura on 16 October 1503 (Katterbach, *Referendarii*, pp. 68, 77; W. von Hofmann, *Forschungen*, VOL. II, 1914, p. 137). On 8 November 1511 he became Bishop of Nocera dei Pagani and Vicarius Urbis (*R.Q.*, VIII (1894), p. 499). On his elevation to the cardinalate in 1517 he resigned his bishopric in favour of his brother Andrew, but resumed it in 1524 and retained it until his death in 1528 (Eubel, *Hierarchia catholica*, VOL. III, p. 247). As appears from a number of allusions, the book *De concilio* was written during the fifth Lateran Council, though additions were made to it at a later period, as e.g. in BK VII, art. 6 (p. 497), a quotation from Pope Adrian VI's commentary on the Sentences. After the death of its author his nephew, the future Cardinal Cristoforo, had it printed by Bladus in 1538. It was reprinted in the introduction to Mansi's *Councils* (Paris 1903), pp. 1-580. For convenience sake I quote book and article, the pages being within brackets. For the subject as a whole, see J. Klotzner, *Kardinal Dom. Jacobazzi und sein Konzilswerk* (Rome 1948), where the memorials mentioned below, p. 108, n. 2, and p. 109, n. 1, are also to be found.

conciliar attempt of Pisa and the fifth Council of the Lateran, at a time, therefore, when the theological reaction to the teaching of the canonists was beginning to make itself felt in the writings of Cajetan.

In several places Jacobazzi states, with all the clarity one could wish for, that a Council may be convoked without papal authorisation whenever a state of emergency exists, no matter whether the Pope is to blame or not, or in the event of the pontiff refusing to comply with the summons to convene it. Such a refusal renders him suspect of heresy.<sup>1</sup> An emergency exists when, for instance, the Church is in great danger, either by reason of some grave scandal on the part of the Pope, such as adultery, simony,<sup>2</sup> the elevation of unworthy relatives to the cardinalate,<sup>3</sup> a threat from external enemies, the refusal or the delay of urgently needed reforms.<sup>4</sup> But the devolution of the right of convocation to the cardinals or to the Emperor, in all these eventualities, presupposes that the Pope has been first formally requested to convene a Council and has refused to do so.

By comparison with those who wrote before him, Jacobazzi widens the notion of the state of emergency while presenting it more concretely. He is not blind to the fundamental and practical objections to which his teaching was bound to give rise. He even parts company with those canonists who, on the basis of the famous chapter *Si papa*, construe any notorious offence of the Pope into an emergency.<sup>5</sup> Above all, he forswears Zabarella's notion of the Pope's subordination to a Council and its decrees.<sup>6</sup> He likewise rejects the opinion of the

<sup>1</sup> "Quando ratione alicuius scandali adest necessitas et papa requisitus differt", and "quando concilium non esset directe congregandum contra papam, sed ex notione et denegatione vel detractatione congregandi papa faceret se suspectum et urgeret maxima necessitas tenendi concilii, videl. quod facta prius requisitione concilium posset per alios, ad quos devolvitur potestas, vel a seipso congregari." *De concilio*, BK III, art. 1 (p. 137 f.). So also BK III, art. 2 (p. 160), BK IV, art. 2 (pp. 193 ff.); devolution to the princes in BK VII, art. 7 (p. 509).

<sup>2</sup> "Si monitus non desistat a venalitate istorum spiritualium et beneficiorum, erit sufficiens causa congregandi concilium." *De concilio*, BK IV, art. 4 (p. 239); see also BK IV, art. 3 (p. 218).

<sup>3</sup> "Credo tamen quod quando papa sola carnalitate ductus promoveret plures qui essent incapaces et Ro. ecclesiae inutiles, propter periculum quod immineret universali ecclesiae ex malis promotionibus, quod esset sufficiens causa petendi congregari concilium, et quod si detractaret (the printed text has 'detractaret'), posset per seipsum congregari, quia tunc videretur facere se alienum et suspectum de fide." *De concilio*, BK VII, art. 6 (pp. 497 ff.).

<sup>4</sup> "Unde quantumcumque papa bene vivat, si negligit corrigere ecclesiam indigentem reformatione requisitus, vel fingit vel detractat, et propterea requisitus quod congreget concilium, contemnit, alii congregabunt." *De concilio*, BK IV, art. 4 (p. 258).

<sup>5</sup> *De concilio*, BK III, art. 1 (p. 140).

<sup>6</sup> "Credo quod non bene dicat . . ." *De concilio*, BK IV, art. 2 (p. 203).

"Gadditanus", that the reform of the Church is a sufficient motive for a convocation, even though no fault could be found with the Pope.<sup>1</sup> He is well aware of the terrible nature of the weapon which such opinions put in the hands of the Pope's enemies. He warns the politicians not to be for ever on the lookout for the splinters in the Pope's eye, or to fall back upon the threat of a Council on every trifling occasion, that is as often as a political difference with him arises.<sup>2</sup> However, none of these restrictions alter his basic principle that besides the regular procedure which assigns to the Pope the right to convoke the Council, emergencies may arise when, by a devolution of rights, a Council may be called without the Pope, as when, for instance, he is guilty of simony, raises unworthy nephews to the cardinalate, or obstinately refuses to convoke a reform Council. Jacobazzi describes the hasty proceedings of the men of Pisa, who had acted without previously approaching the Pope, as foolish,<sup>3</sup> but makes no secret of his longing for a great reform Council: "I will say no more on this subject," he writes. "God knows if such a Council is needed in these days!"<sup>4</sup> He thinks that the ten-year time-limit fixed by the decree *Frequens* has been invalidated by custom; but this does not mean that no Council need be held.<sup>5</sup>

The development of the canonists' teaching on the convocation of the Council reflects the whole problem of the Renaissance Popes.

The first generation of canonists treats the possibility of devolution very scantily—it only hints at it, so to speak, for the idea was still in an early stage of evolution. The next generation gives it its full attention. At the turn of the century even the most determined defenders of the papal supremacy regard the safety-valve of the Council as indispensable. In this respect their views did not greatly differ from those of such

<sup>1</sup> "Ep. Gaditanus videtur fateri quod concilium, etiam cessante incorrigibilitate papae possit congregari pro reformatione in capite et membris." *De concilio*, BK IV, art. 2 (pp. 198 ff.). Under "the Bishop of Cadiz," Gundisalvus Villadiego (1442-72) must be considered in the first instance, though his treatise *De origine et dignitate et potestate SRE cardinalium* is silent on the point, at least the abridgment printed in *Tract. ill. iuricons.*, VOL. XIII, ii, fols. 57<sup>v</sup>-59<sup>v</sup> is so. But since Gundisalvus lived at the Curia and was an auditor of the Rota, Jacobazzi may very well have had another work of his in view, one with which I am not acquainted.

<sup>2</sup> *De concilio*, BK III, art. 1 (p. 139).

<sup>3</sup> *De concilio*, BK III, art. 1 (p. 142); a detailed justification in BK VII.

<sup>4</sup> "An autem hodie (cum nihil boni videmus et ad superos Astraea recessit) indigeremus concilio pro reformatione, nihil dico: Deus scit." *De concilio*, BK IV, art. 4 (p. 258).

<sup>5</sup> "Licet respectu temporis celebrandi concilii . . . possit dici abiisse in desuetudinem, vel quod non fuerit recepta, tamen ratione actus agendi, idest concilium celebrandi, non videtur sublata nec circa alia." *De concilio*, BK IV, art. 1 (p. 189).



partisans of the conciliar theory as Ugoni and Gozzadini. All that was wanting was to carry their teaching into effect, and to say: "The present Pope's conduct causes grave scandal," or "The Pope refuses to undertake the necessary reform and to convoke a Council; the College of Cardinals therefore has the right, and even the duty, to convoke a Council, to act, and to take the convocation into its own hands"—for the dreaded spectre of a conciliar assembly without the Pope to become a reality. The only question was in what circumstances would the Sacred College decide on so dangerous and weighty a step, and whether it would ally itself with the demands for a council which came from beyond the Alps.

The story of the conciliar attempt of Pisa provides the answer to these questions. The course of that assembly can only be understood if one bears in mind the history of the idea of the Council since the days of Basle as sketched in the foregoing pages, and by studying, for the sake of comparison, Zamometič's belated attempt to convene a Council.



*(Photo Alinari)*

POPE SIXTUS IV

*After the painting by Titian in the Uffizi Gallery, Florence*

## Failure of the Conciliar Attempts of Basle (1482) and Pisa (1511)

ON 25 March 1482, in the cathedral church of Basle, the Dominican Andrew Zamometič, Archbishop of Krania in Thessaly, called for a continuation of the Council of Basle.<sup>1</sup> Neither the cardinals nor the bishops, neither the University of Paris nor the King of France, had dared to take the revolutionary step of which there had been so much talk. It had an interesting personal background.

Zamometič came from the Balkans. He was undoubtedly a man of exceptional gifts and an adept in the diplomatic craft. He had studied and subsequently taught at Padua at the same time as Francesco della Rovere, at that time a Friar Minor. When the latter became Pope, Zamometič received from him, in 1476, the archbishopric of Krania, by then a mere titular see. He also made himself useful to the Emperor Frederick III in several diplomatic missions. One of these terminated abruptly, for in consequence of an incident that has never been fully explained he was unexpectedly summoned to Rome in 1479. In the autumn of 1481, during a stay in Rome as imperial envoy, he so far forgot himself as to indulge in unsparing criticism of the conduct of his former fellow-student Sixtus IV, his nephew Girolamo, and the papal court. Thereupon he was unceremoniously thrown into the Castle of Sant' Angelo. Through the intervention of Cardinal Michiel he was set at liberty. He left Rome burning with a desire to revenge himself on the Pope, now the object of his bitter hatred. The Basle proclamation of the Council was the answer to the humiliation of Sant' Angelo.

In a manifesto of 11 April 1482, antedated to 25 March, which was disseminated both in manuscript and in print, Zamometič called upon the Christian princes to prevent the ruination of the Church by the reigning Pope, on whose head he heaped a whole series of grave accusations. He accused him of heresy, simony and shameful vices, of wasting the possessions of the Church, of instigating the conspiracy of

<sup>1</sup> For what follows I use, unless otherwise indicated, J. Schlecht, *Zamometič*, and A. Stoecklin, *Der Basler Konzilsversuch des Andrea Zamometič*.

the Pazzi, and of concluding a secret understanding with the Sultan. He ended by summoning him to appear at the bar of the Council.<sup>1</sup> The summons in due legal form followed on 14 May.<sup>2</sup> How could Zamometič justify such unheard-of proceedings? Where did he look for support?

His legal arguments were exceedingly weak. In nine theses, published in April at the earliest, he merely repeated the old arguments of Basle against Eugenius IV and the translation to Ferrara.<sup>3</sup> He started from the fiction that the Council of Basle was not yet concluded hence he was acting as the spokesman of the *Sacrosancta Generalis Synodus in Spiritu Sancto Basileae legitime congregata, ecclesiam universalem repraesentans*. In point of fact the Council of Basle had dissolved itself at Lausanne; not a trace of it was left at Basle. Zamometič's manifesto was therefore the convocation of a new Council. Whence came his authority to summon it?

There can be no doubt that he was acting on the opinion that in presence of an obvious emergency, if the Pope were a heretic, or if his conduct led to the ruin of the Church, a single bishop, nay, a simple cleric or layman, was entitled to summon a Council.<sup>4</sup> However, he overlooked the fact that even in the conciliar theory this right supposes that the highest authorities, that is, the College of Cardinals, the Emperor and the rest of the Christian princes, together with the episcopate, neglected their duty, that is, refused to convoke a Council when summoned to do so. Above all, the facts by which Zamometič sought to prove that a state of emergency actually existed were for the most part either irrelevant or exaggerated. In particular, the accusation of heresy against Sixtus IV was quite groundless. If it had been true, it would indeed have created a state of emergency according to the unanimous opinion of canonists, but the Pope's intervention against the veneration of the stigmata of St Catherine of Siena could not seriously be branded as heresy. Even from the standpoint of the conciliar theory

<sup>1</sup> Schlecht, *Zamometič*, pp. 36\*-41\*, also 78 ff., 96 ff.; Stoecklin, *Basler Konzilsversuch*, pp. 33 ff. Copies of the manifesto and the convocation, e.g. in St. Arch., Modena, Roma 110, cop.

<sup>2</sup> Schlecht, *Zamometič*, pp. 66\* ff.; see Stoecklin, *Basler Konzilsversuch*, pp. 39 ff.

<sup>3</sup> Schlecht, *Zamometič*, pp. 65\* ff. Conciliar theory finds a particularly rigid expression in "Reply" drawn up by Peter Numagen's secretary to the Council, to Henricus Institoris's "Epistola" presently to be mentioned; it is printed by J. H. Hottinger in *Historia ecclesiastica Novi Testamenti*, VOL. IV, pp. 422-555, under the title of : *Tertia editio invectiva responsialis sub nomine archiepiscopi Craynensis per Petrum Trevirensensem contra Henricum Institoris formata*.

<sup>4</sup> See above, Chapter IV.

juridical proceedings against an unquestionably legitimate Pope presupposed a Council actually sitting and accordingly entitled to claim that it represented the whole Church. But Zamometič was the only prelate at Basle. It remained to be seen whether his proclamation would find a hearing.

Zamometič undoubtedly imagined that he could count on the support of such ecclesiastical circles north of the Alps as favoured a Council, perhaps even on that of the Emperor who just then was nursing a grievance against the Pope. The anti-papal league between Milan, Florence and Naples seemed only to be waiting for a chance to embarrass its opponent in the ecclesiastical sphere, and as for the King of France, he was notoriously ready with the threat of a Council. Discontent was found even in the Sacred College on account of the Pope's nepotism.<sup>1</sup> Zamometič's hopes proved illusory. Encouragement came to him from many directions, but, as Jacob Burckhardt observes, "no one had the courage to stand openly by him". Though pressed by letters and envoys, the Emperor adopted a waiting policy while he put the awkward but quite pertinent question, by what authority did Zamometič act at all?<sup>2</sup> Louis XI stood on the brink of the grave. It was not to be expected that he would adhere to a council on German soil. Milan and Florence had their agents at Basle, but they sent no bishops. Ferrante of Naples only prepared to mobilise the numerous bishops of his realm in the autumn of 1482. By then it was too late. Once again it became evident that the Christian princes' demand for a Council was not seriously meant. If the attempt to call a Council had proved a success, they would have been willing to take advantage of it, but it never entered their minds to back a venture. As for the cardinals of the opposition, they were even less disposed to run risks since for them so much more was at stake.

In point of fact, Zamometič's venture only got a footing and maintained itself for a while because the city of Basle, mindful of the golden era of the great Council, granted him a safe-conduct and freedom of action, and before long, even active support. "We should be glad if the Council were to take place here," the city fathers declared, "if it can be suitably done." However, not even neighbouring Berne, whose influential provost, Stör, undoubtedly favoured the conciliar theory,

<sup>1</sup> In his letter of 13 July to the Emperor Zamometič appeals to the alleged agreement of the "Rev.mi praelati ecclesiae Rom." Hottinger, *Historia ecclesiastica*, VOL. IV, p. 560.

<sup>2</sup> The letter itself has not been preserved; that it contained the above question appears from Zamometič's reply mentioned in the preceding note.

allowed itself to be won over. The fact that not a single prelate obeyed the summons proved decisive. Even the neighbouring bishops stayed away.<sup>1</sup> No cathedral chapter, no university sent a representative—in fact, on the motion of Wimpfeling, its rector, Heidelberg openly sided with the opposition. The Bishop of Würzburg made haste to despatch a copy of the manifesto to Rome. Zamometič was being punished for his neglect of diplomatic preparation as well as legal justification for his action.

It was only in the course of the summer that he sought to repair this omission. In two pamphlets, respectively entitled *Expositio*, of 20 July,<sup>2</sup> and *Appellatio*,<sup>3</sup> of 21 July, he appealed to the decree *Frequens* and quoted the theses published on the eve of the Council of Basle, on the duty of all Christians towards the Council and on the right of the Council to enter upon its deliberations even without papal authorisation. It was too late now. It hardly needed the rejoinder entitled: *Epistola contra quemdam conciliaristam*,<sup>4</sup> of the Dominican Henricus Institoris, who placed himself unconditionally by the Pope's side, to prejudice public opinion against Zamometič and to bring about the collapse of his undertaking.

Meanwhile the Pope had displayed a lively diplomatic activity in every direction with a view to stamping out the fire before it flared up.<sup>5</sup> On 6 August Basle was laid under an interdict. On 3 October the

<sup>1</sup> This applies especially to the Bishops of Basle and Constance. Kleinbasel, where Zamometič resided, was within the jurisdiction of the Bishop of Constance.

<sup>2</sup> Hottinger, *Historia ecclesiastica*, VOL. IV, pp. 360-7; see Stoecklin, *Basler Konzilsversuch*, p. 44 f. The text of the Basle conciliar theses in Hottinger differs in several places from that of John of Segovia, *Mon. conc. gen.*, VOL. II, p. 4.

<sup>3</sup> Hottinger, *Historia ecclesiastica*, VOL. IV, pp. 368-94; Stoecklin, *Basler Konzilsversuch*, pp. 46 ff. The most succinct summary of Zamometič's point of view is found in his letter to the Bishop of Basle (Hottinger, *Historia ecclesiastica*, VOL. IV, p. 600), where he says: "I am authorised to convoke a Council as a Christian, as a bishop and a successor of the Apostles, as a continuator of the Council of Basle and on the basis of *Frequens*."

<sup>4</sup> Hottinger, *Historia ecclesiastica*, VOL. IV, pp. 395-421. On the printed editions, see J. Hansen, *Quellen und Untersuchungen zur Geschichte des Hexenwahns im Mittelalter* (Bonn 1901), p. 383. For a biography of the author, see H. Wibel in *M.Ö.I.G.*, XXXIV (1913), pp. 121-5. As was to be expected, Institoris put his finger at once upon his opponent's weak spot: Sixtus IV was no heretic, and even if he were one, the Council had no power to judge him, but he would be deposed *ipso facto*. This is the strictly hierocratic point of view with which we are familiar. In Institoris's opinion the Pope is not even subject to fraternal correction.

<sup>5</sup> It is not necessary for our purpose to recount the Pope's embassies, described with so much detail by Schlecht and Stoecklin, first to Basle (Ockel, Hohenlandenberg, and later Gerardini and Carsetta), and then to the Emperor (Orsini and Gratiadei), nor the missions of Anthony de Rupe, the Minorite Emmerich von Kemel, Peter von Kettenheim, etc.

Franciscan Gratiadei, who had been despatched to the imperial court, persuaded Frederick III to send an extradition order to the city. Alarmed by the prospect of the injury to its economy which would result from an interdict, Basle was forced to yield. On 21 December 1482 the Archbishop was put in chains. He was no weakling. He played the man up to his dreadful end by suicide on 13 November 1484. The miserable failure of Zamometič's conciliar attempt was due to the fact that it was plain open revolution without a shadow of legitimacy, and one for which no preparation had been made either by means of diplomacy or literary propaganda. It was a desperate *coup de main*, not a carefully prepared campaign entered upon with adequate forces. It failed to rouse public opinion, which actually favoured the idea of a Council, and collapsed before it became a serious danger for the Papacy. The Pope made haste to have his triumph artistically perpetuated in the recently completed Sixtine Chapel, on the walls of which the master-hand of Botticelli depicted him—supported by Arevalo and Institoris—in the act of executing God's judgment against Corah and his band who rebelled against Moses.<sup>1</sup> The artist was right: the Vicar of Christ and successor of Peter had triumphed over a rebel. But the student of history who contemplates the picture cannot but feel that the victory was won far too easily. Not all Zamometič's accusations against his former fellow-student were groundless. A Council would have administered a wholesome shock, leading to reflexion and self-examination. Such a shock had not been given, and after so easy a triumph an exaggerated sense of security settled on the home of the Roman Renaissance.

Zamometič was defeated, in fact his defeat was inescapable, not only because his attempt had been an improvisation, but because he himself lacked that self-forgetting devotion to the cause of God, that indefinable mixture of courage and humility which alone achieves great things in the Church. The apostrophes to the Pope in the manuscript edition of his manifesto betray the fierce passion of a mortally offended man; they are not inspired by selfless zeal for God's house. Zamometič was not the man of destiny called to renew the Church.

The issue of the conciliar attempt of Basle throws light on two factors which proved equally decisive for the fate of a similar attempt that was to follow, namely the willing acceptance by Christendom of the papal primacy on the one hand and the insincerity of the politically

<sup>1</sup> E. Steinmann, *Die Sixtinische Kapelle*, VOL. I, pp. 262-73; see also the description on pp. 496-512, as well as my own article in *H. J.*, LXII (1942), pp. 161 ff.

conditioned demand for a Council on the other. In spite of the convulsions occasioned by schism and the conciliar theory, the restored Papacy—the undoubtedly legitimate Pope—continued to retain its extraordinary power over souls and over the social structure of the *Respublica christiana*. Even the city council of Basle, though it favoured Zamometič's attempt, addressed its seven appeals not to the General Council but to the Pope.<sup>1</sup> Contrariwise the negative attitude of the Emperor and the lukewarm interest of the powers of the Italian League were a warning to all ecclesiastical adherents of the Council not to rest their hopes on the quicksands of political combinations. The organisers of the next conciliar attempt did not heed the warning—to their own cost.

The *conciliabulum* of Pisa of 1511 owed its convocation to an alliance of the cardinals of the opposition with the external enemies of Julius II after the break-up of the League of Cambrai.<sup>2</sup> In the summer of 1510 that masterful pontiff, until recently an ally of Louis XII and Maximilian I against Venice, suddenly reversed his policy in the hope of driving the "barbarians" out of his beloved Italy, with the help of Venice. His chief enemy was France. Her two-hundred-year-old ambition to dominate the peninsula seemed to be on the eve of realisation. Louis XII's answer to the Pope's change of front was twofold. It took the form of a plan for a great political and military action, as well as an attack on Julius II on his own ground—the ecclesiastical one. On 30 July 1510 the King summoned an assembly of prelates to Orleans;

<sup>1</sup> *Urkundenbuch der Stadt Basel*, vol. VIII (Basle 1901), pp. 488 ff.

<sup>2</sup> Chief sources: *Promotiones et progressus sacrosancti concilii Pisani Moderni (sine loco 1512)*; the parchment copy, authenticated by the notary Chalmot, in Vat. Library, Membr. II, 23; printed (exclusive of sess. IX and X) Paris 1612. The schedule of convocation and the Pope's first Monitorium in Mansi, vol. XXXII, pp. 563-74, in part also in Mansi's Supplement to Labbé, *Sanctorum conciliorum collectio nova*, 1728, vol. V, pp. 349 ff. Decius's *Consilium* and Ferreri's *Apologia* were reprinted in Goldast, *Monarchia*, vol. II, pp. 1653-76. The Acts for the diplomatic history are in A. Renaudet, *Le Concile gallican de Pise-Milan* (Paris 1922); J. M. Doussinague, *Fernando el Católico y el cisma de Pisa* (Madrid 1946); some of Bibbiena's *Letters* in the Carte Stroziane are published by G. Grimaldi, "Un episodio del pontificato di Giulio II", in *Archivium della Soc. Rom. di storia patria*, XXIII (1900), pp. 563-71. The earlier accounts by L. Sandret, "Le concile de Pise, 1511", in *R.Q.H.*, XXXIV (1883), pp. 415-56, and by P. Lehmann, *Das Pisaner Konzil 1511*, (Dissertation, Breslau 1874), are superseded by Pastor, vol. III, pp. 774 ff. (Eng. edn., vol. VI, pp. 353 ff.) and Doussinague's work, but Hefele-Hergenröther, *Conziliengeschichte*, vol. VIII, pp. 431-97, remains indispensable. For a judgment the following should be consulted: Imbart de la Tour, *Origines*, vol. II, pp. 127-78; C. Stange, *Erasmus und Julius II*, (Berlin 1937), pp. 179 ff. The same "Luther und das Konzil von Pisa 1511", in *Zeitschrift für systematische Theologie*, x (1933), pp. 681-710; E. Guglia, "Zu Geschichte des 2. Conciliums von Pisa", in *M.Ö.I.G.*, XXXI (1910), p. 593, has a good survey of the sources.



they met in September, but at Tours. At the King's request the meeting decided to warn the Pope off his enterprise; they also proclaimed anew the Gallican principles. At the same time Louis won over some of the cardinals of the opposition for the attack in the ecclesiastical sphere which he planned. In October five of them, viz. two Frenchmen, two Spaniards and one Italian, went over to his side. By 15 February 1511 an anti-papal Council was finally decided upon. The King appointed three procurators to organise its convocation in conjunction with the opposition cardinals. In April a second assembly of prelates at Lyons went so far as to summon the Pope to appear before the future Council.<sup>1</sup>

On 16 May 1511 the die was cast. On that day, from Milan, Cardinals Carvajal, Sanseverino, Borgia, De Prie and Briçonnet, acting apparently in collusion with four other members of the Sacred College,<sup>2</sup> convoked a General Council for 1 September 1511, at Pisa, the city in which a century before the cardinals had vainly sought to put an end to the Great Schism. The Emperor Maximilian I and King Louis XII announced their adhesion and the Pope was summoned to appear before the assembly.<sup>3</sup>

This time the situation was serious. Action was being taken by two authorities which in the opinion of many canonists were entitled to convoke a Council without the Pope: they were the cardinals—not indeed the College as a whole but a small section—and the two most powerful rulers of Christendom, the Emperor and the most Christian King. The juridical arguments by which the minority cardinals justified their action were much better than those on which Zamometič had relied. By his non-compliance with the decree *Frequens*, they explained, and by infringing the election capitulation by which he was bound to call a Council within two years, as well as in several other ways, the Pope was giving scandal to the Church. Therefore a state of emergency existed, which “according to the statutes of the Holy Fathers

<sup>1</sup> Renaudet, *Le Concile gallican de Pise-Milan*, p. 28.

<sup>2</sup> The assertion in the Cedula that a “sufficiens mandatum” had been issued by all the absentees is demonstrably false; but this does not mean that they were not in sympathy with the convocation. It is certain that Este and Philip of Luxemburg expressed their agreement either in writing or at least by word of mouth, and in the case of Corneto and Carretto it is very probable that they also did so, and no subsequent declarations in an opposite sense make any difference. Only the five people mentioned above took part in the *conciliabulum*; Cardinal d’Albret was the sixth; Borgia died as early as 4 November.

<sup>3</sup> Mansi, VOL. XXXII, pp. 563 ff.; *id.*, *Sanctorum conciliorum collectio nova*, VOL. V (1728), pp. 349 ff.

and the Council of Constance", authorises the cardinals to convoke a Council. Although those who issued the summons formed only a minority of the Sacred College, they were none the less entitled to act as its representatives, inasmuch as the majority at the Curia, in addition to its loss of freedom, was likewise suspect. The convoking cardinals prayed and admonished the Pope to appear at the Council in person or through a legate. As for the two secular rulers, they justified their share in the proceedings by the solicitude for the *Respublica christiana* incumbent on them.

The arguments adduced in the letter of convocation mainly rest on Louis XII's *procuratorium*, in which Gallican ideas blend with juridical considerations; it is evident that the cardinals preferred the latter. They were fully explained in a memorial drawn up previous to the convocation by the jurist Filippo Decio.<sup>1</sup> Basing himself on the chapter *Si papa*, Decio asserts that in the *communis opinio* of canonists, it is a duty to resist a Pope whose life is notoriously scandalous or who misuses his authority. Steps must be taken to remedy such a situation. He then justifies in detail the minority cardinals' action against the Pope. He takes the precaution of adding that even if many of those convoked should fail to put in an appearance, the full authority of a General Council would rest with those present. In support of this opinion he invokes the authority of Piero da Monte, to whom, together with Sangiorgio and Felinus, appeal is also made in an anonymous memorial drawn up for one of the opposition cardinals.<sup>2</sup> The aim of this paper was to prove that even a minority of the Sacred College is entitled to summon a Council without the intervention of the Pope,

<sup>1</sup> The *Consilium* is printed in the appendix to the *Promotiones et progressus sacrosancti concilii Pisani Moderni*, pp. 69-107; I use Goldast, *Monarchia*, VOL. II, pp. 1667-76. Though inspired by the French government and written before 16 May, its aim was to dispose of the cardinals' objections. As a former auditor of the Rota, Decius based himself upon the canonists' teaching explained above. That Decius continued to be esteemed as a canonist even after Pisa is shown by the fact that in 1530 he was requested to draw up a memorial on the question of Henry VIII's divorce; see S. Ehses, *Römische Dokumente zur Geschichte der Ehescheidung Heinrichs VIII von England* (Paderborn 1893), pp. 181 ff.; ambassador Mai's biting remark about his venality in *Cal. of St. Pap., Spain*, VOL. IV, I, p. 739 (No. 446).

<sup>2</sup> Vat. lib. Barb. lat. 843, fols. 234<sup>r</sup>-240<sup>v</sup>—a contemporary but faulty copy without title. The destination appears from the *Incipit*: "Revme Pater. Quamvis impositi oneris magnitudo . . ." The memorial is an answer to five queries: 1. "Quando possit congregari conc. gen"; 2. "Quis possit . . ."; 3. "Quis modus sit servandus . . ."; 4. "Qui et quot intervenire debent . . ."; 5. "Quis cognoscat an causa examinanda sit digna concilio quod convocari possit." The author remains anonymous and does not betray his identity in the course of the document, but one may make a guess at Jerome Boticellus, a professor of Pavia who, together with Decius, was regarded as a pillar of the *conciliabulum*; see Renaudet, *Le Concile gallican de Pise-Milan*, p. 451.

provided there is clear proof that he has fallen into heresy or has become guilty of some notorious crime. Should he deny the need of a Council, while a subordinate authority, one entitled to call a Council, as for instance the Emperor, judges that such a need exists, the Council must be convened in order to resolve the conflict—otherwise the Pope might conceivably prevent the holding of a Council for all time.

Both Decio and the author of the anonymous memorial wrote, previous to the convocation of the Council, for the express purpose of demonstrating that the cardinals were within their rights. They assumed that the Pope was opposed to a Council; their assumption was stultified by the convocation of the Lateran Council by Julius II. So the arguments of the conciliar theory must needs be brought forward. A second anonymous memorial, probably by the same hand as the first,<sup>1</sup> defends Pisa with an appeal to the decree *Frequens* and Gerson's theory of devolution. At about the same time Ferreri, a secretary to the Council, published an *Apologia sacri Pisani concilii*,<sup>2</sup> in which he defends the Popeless, or rather the anti-papal Council by invoking the decrees *Sacrosancta* and *Frequens*, but without altogether dispensing with canonical arguments. This step was inevitable.

The weakness of the canonistic arguments lay not so much in the *quaestio juris* as in the *quaestio facti*. From the standpoint of canonistic teaching one might grant, in the abstract, the cardinals' right to convoke a Council in certain emergencies while contesting the lawfulness of the summons to Pisa and especially the continuation of that venture after the convocation of the Lateran Council by the Pope. Cardinal Sangiorgio, with whose teaching on emergencies we have become acquainted in the preceding chapter, stood by Julius II. Jacobazzi also, in spite of the opinions he had held at one time, turned unhesitatingly against Pisa. The Pope, he declared, was not guilty of criminal neglect, such as might have justified the devolution of his right

<sup>1</sup> *Quid de moderno sacro concilio Pisano tenendum sit*, Vat. lib., Barb. lat. 843, fols. 244<sup>r</sup>-246<sup>r</sup>—a contemporary but faulty copy and without name of author. Among others Ludovicus Romanus, Felinus and Corsetus are appealed to about the cardinals' right to convoke a Council; fol. 244<sup>v</sup> says that the Pope is subject to the decree *Frequens*. The fact that fol. 245<sup>r</sup> quotes a passage from the Bull *Sacrosanctae* proves that it was composed after 18 July.

<sup>2</sup> *Promotiones et progressus sacrosancti concilii Pisani Moderni*, appendix 1-51; Goldast, *Monarchia*, vol. II, pp. 1635-65, dated Borgo San Donnino, 27 September 1511. For the author see especially B. Morsolin, "L'Abbate di Monte Subasio e il Concilio di Pisa" (Venice 1893), extract from the *Atti del R. Istituto Veneto*, Ser. VII, vol. IV (1892-3), pp. 1689-1735; p. 10 mentions the printing of the Acts of the Councils of Constance and Basle by Ferreri at Milan in 1511—a further proof of dependence on the ideas of the reform Councils.

of convocation.<sup>1</sup> Nor could there be question of a state of emergency so long as the College of Cardinals—or at least a majority of its members—had not established the fact that such a situation was actually in being. The alleged notorious scandal was nothing else, at bottom, than the Pope's war against the French! Until now the cardinals had raised no protest against his non-compliance with the election capitulation and the decree *Frequens* had been in abeyance since the Council of Basle. If these omissions were made a reproach against Julius II, then all the Popes since the assembly of Basle were equally to blame. But the legal basis for these accusations, the decree *Frequens*, was, to say the least, extremely questionable.<sup>2</sup> To these errors of fact must be added a grave error of form. Even Ugoni, champion though he was of the conciliar theory, felt compelled to declare that the conduct of the Pisan cardinals was canonically indefensible since they had failed to admonish the Pope in due canonical form of his duty to summon a Council.<sup>3</sup> But their chief guilt, in Jacobazzi's opinion, lay in the fact that they went on with the conciliar attempt of Pisa after the convocation by the Pope of the Lateran Council. It was this, and their further collaboration with the French, that made them rebels and schismatics.<sup>4</sup>

With these explanations we have run far ahead of events, for before the actual assembling of the council of Pisa, in October 1511, its organisers had sought once more to negotiate with the Pope, Spain acting as mediator. It was only after these attempts had come to naught that the assembly opened at Pisa on 1 November. The first session was held on 5 November. Those present were nearly all Frenchmen: they were two archbishops, fourteen bishops, several abbots and the proctors of the Universities of Paris, Toulouse and Poitiers.<sup>5</sup> The composition of the assembly accounts for the turn it took. In its third session, on 12 November, it proclaimed anew the superiority decree of

<sup>1</sup> *De concilio*, BK VII (pp. 403-14).

<sup>2</sup> Memorial of the licentiate Illescas for Ferdinand the Catholic, dated 28 August 1511, in Doussinague, *Fernando el Católico y el cisma de Pisa*, pp. 477-85.

<sup>3</sup> "Per quae omnia . . . liquido patet quod venerandi illi patres, qui alias conciliabulum Pisanum novissimis temporibus indixerunt contra S. D. N. D. Julium II modernum pont. max. . . , illi doctores, qui concilium congregari posse sine consensu pont. maximi, quando contra ipsum agendum est, non servata forma de qua supra, consuluerunt, longe a recta declinaverunt via, et propterea eorum desiderio frustrati fuere." Ugoni, *De conciliis*, fol. 39<sup>r</sup>.

<sup>4</sup> Jacobazzi, *De concilio*, BK VII, art. 1 ad 3 (p. 421). Before this (p. 420) Jacobazzi says that in his opinion, in view of the Pope's previous threats, the cardinals' flight did not amount to a refusal of obedience.

<sup>5</sup> According to the Florentine Ridolfi, writing on 2 November, there were present about twelve bishops, eight abbots and twelve doctors.

Constance. By this act it definitely committed itself to the conciliar theory. Soon afterwards, in view of the hostile attitude of the population and the uncertain attitude of the government of Florence, the Council decided on a transfer to Milan, which lay within the sphere of power of the French army. In its sixth session, on 24 March 1512, an order of procedure on the model of that of Basle was agreed upon. The assembly ended by burning its last bridges when, in its eighth session, it pronounced a sentence of suspension against the Pope. Once again radicalism was triumphant.

The number of bishops present gradually rose to thirty; the French were in an overwhelming majority. The Italian and the German hierarchy refused participation; as for the English, Spanish, Hungarian and Polish prelates, their co-operation was not to be thought of, were it only because of the attitude of their rulers. In view of the composition and the radicalism of the Milanese gathering, Julius II's opponents in the Sacred College and in the Curia were afraid to identify themselves with the definitely Franco-Gallican aims of the assembly. Some of the cardinals who had been favourably disposed at first, and whose names had appeared in the letter of convocation, publicly disavowed the Council. Giovanni Gozzadini, who in his great work on the papal election had only recently accepted all the Pisans' arguments against the Pope, not only remained on his side but even positively championed his cause.

Before long even the two political props of Pisa turned out to be rotten. The Emperor did not even send a representative to Milan. His envoy at the French court was known to be a decided opponent of the conciliar project. His political adviser, Matthew Lang, was far more interested in the national autonomy of the German Church under a primate with legatine powers. Even in the *entourage* of Louis XII opinion was divided. Robertet, whose influence was considerable, had described it from the beginning as a political manœuvre. He was sceptical about its prospects<sup>1</sup>; as for the King, the Council was without a doubt no more than a weapon in his struggle with the Pope. As early as 3 July 1511 the experienced Venetian Girolamo Porzia foretold that the whole undertaking would come to nothing.<sup>2</sup> The event justified his prophecy. Not even the great French victory of Ravenna on 11 April 1512 was able to avert its fate, because in the critical summer of 1511 Julius II had shown that in political acumen and strength of will he

<sup>1</sup> Renaudet, *Le Concile gallican de Pise-Milan*, p. 44.

<sup>2</sup> Sanudo, *Diarii*, VOL. XII, p. 267.

was far superior to his opponents. By the Bull *Sacrosanctae romanae ecclesiae* of 18 July 1511 he convoked a General Council for 19 April 1512 at the Lateran.<sup>1</sup> With this bold step he took the wind out of the sails of the schismatical Council by a single stroke. From that moment the question was no longer: "Council or no Council?" but only "which Council?" There could only be one answer. By an overwhelming majority Christendom not only decided for the papal Council but hailed it with enthusiasm. At last the long desired Council was a fact!

Simultaneously with the convocation of the Lateran Council measures were taken against the leaders of the opposition in the Sacred College. In the Consistory of 24 October Carvajal, Briçonnet, Borgia and De Prie were degraded.<sup>2</sup> On 10 March 1512, after some heated discussions with the Sacred College, eight new cardinals were named in their place. Decio and Ferreri, the literary champions of Pisa, were suspended, while the seats of the assembly, the cities of Pisa and Milan, were laid under an interdict which was strictly observed. On 16 November 1511, at Burgos, Ferdinand the Catholic announced his adhesion to the Papal Council and named his delegates to it. The fortune of arms also changed in the Pope's favour. In spite of their victory at Ravenna the French were forced to evacuate almost the whole of Upper Italy under pressure from the combined Swiss, Venetian and papal forces. Towards the end of 1512 the Emperor made peace, and Louis XII also ended by taking no further interest in the assembly, the futility of which he realised. The *conciliabulum* thereupon transferred its seat to Asti, and from there to Lyons, where, after its tenth session, it gradually dissolved itself. The last anti-papal Council in the history of the Church thus ended in a miserable failure.

Since this book is only concerned with ideas, our main concern is to

<sup>1</sup> Mansi, VOL. XXXII, pp. 681-91; *Bull. Rom.*, VOL. V, pp. 499-509, several times reprinted.

<sup>2</sup> According to Bibbiena (ed. Grimaldi, in *Archivium della Soc. Rom. de storia patria*, XXIII (1900), pp. 567 ff.), at the consistory of 22 October Sangiorgio had pleaded for an extension of the time-limit but had eventually yielded to the Pope's decision. Del Monte and Accolti were believed to favour stern measures. Further information on the feelings of the majority cardinals may be gathered from the votes published by Guglia in *M.Ö.I.G.*, XXXI (1910), p. 597, from Vat. lat. 12146, fols. 25<sup>r</sup>-61<sup>r</sup>. Votes III-V refer to the consistory of 22 October 1511, while I judge II and VII, as does Guglia, to refer to Sanseverino's deprivation. Votes I and VI, which are also part of the discussions which preceded the deposition of the four, urge that consideration should be had for the hesitant (pp. 598, 602). Eubel, *Hierarchia Catholica*, VOL. III, n.4, mistakenly names Sanseverino as one of those deposed on 24 October instead of Borgia. The former was only deprived on 30 January 1512; Ferdinand's adhesion in Doussinague, *Fernando el Católico y el cisma de Pisa*, pp. 504-8.

ascertain the causes of such an issue. They lie on the surface and are easily perceived. Once again the insincerity and inner weakness of the threat of a Council as a political weapon were fully revealed. For Louis XII the *conciliabulum* was merely part of a political scheme—neither more nor less. It was at his command that the French bishops repaired to Pisa and Milan. There the gathering worked under the protection of his arms. The use of a purely ecclesiastical institution for a heterogeneous purpose was doomed to failure from the beginning. Gallicanism obediently gave its assistance and by so doing lost what power of attraction it may have possessed. To that extent the expression “Gallican Council” is accurate enough, though it does not cover the whole ground. The peculiarity of the conciliar attempt of Pisa lies in the participation, at least in the beginning, of the cardinals of the opposition and in the exploitation by them of the canonists’ teaching on the state of emergency. A man like Carvajal was not likely to throw himself blindly into the arms of the French King or to fail to weigh the consequences of such an act. He knew that there was no prospect of success for the Council if its scope was identical with French policy. After their flight the renegade cardinals had allowed a whole year—a decisive year—to elapse before the opening of the *conciliabulum*. That year was spent in efforts to broaden the basis of the undertaking as well as to legitimise it, for they were anxious that theirs should be a canonical, not a revolutionary procedure. It was in the very nature of things that from opposition they should be driven into schism. As the date fixed for the opening drew near, it was clear that all their efforts to give the assembly the character of a General Council had been in vain: it was a French affair, and that character it retained to the end. Hence their last-hour efforts—futile ones—for a *rapprochement*. As late as 8 November 1511 the Florentine Ridolfi wrote to the Signoria of his city: “If he could do so, Carvajal would throw himself at the Pope’s feet this very day.”<sup>1</sup> After what had happened the offer of a neutral seat for the Council could not be other than unacceptable to the Pope: for the others it came too late.

The fate of the assembly of Pisa was sealed when the Pope convoked the Lateran Council and thus gave satisfaction to the desire for a Council which had been growing ever stronger and more general since the turn

<sup>1</sup> Renaudet, *Le Concile gallican de Pise-Milan*, p. 492. That the cardinals of the opposition were most anxious to avoid a rupture is shown by their letter of 11 September 1511, to the representative of the majority cardinals, Alessandro Guasco, Bishop of Alessandria; *Promotiones et progressus sacrosancti concilii Pisani Moderni*, pp. 67-74.

of the century. Instead of any hesitations and misgivings with which such a Council might have been regarded—not without good reason—<sup>1</sup> its announcement was hailed with enthusiasm as the dawn of a new and better age, as the beginning of the reform of the Church. It was easy for a Council convoked by the lawful successor of Peter to triumph over a venture of doubtful legitimacy,<sup>2</sup> one moreover discredited as a political manœuvre of a single nation.

The main stroke was succeeded by yet another, this time against the theory on which Pisa had relied. On 12 October 1511, Thomas de Vio, the Dominican and future cardinal Cajetan, completed his work entitled *De comparatione auctoritatis papae et concilii*.<sup>3</sup> In this book the author, not content to refute the conciliar theory, also deals with the arguments with which Decio and the other juridical advisers of the minority cardinals had attempted to justify their action, namely the canonists' teaching on the convocation of a Council without the Pope in an emergency, as well as with the background of that theory that is, Gerson's attribution to the Church and to the Council of the right to control the Pope's government.<sup>4</sup> It was a momentous event when, in the person of Cajetan, a theologian—perhaps the greatest theologian of his time—intervened in the debate and pushed the canonists aside. From that day the question became an integral part of dogmatic theology. The reply of Jacques Almain,<sup>5</sup> a young theologian of Paris, could no longer influence the course of events, nor was Cajetan's answer long delayed.<sup>6</sup> Among the other writers who entered the lists on behalf of Julius II,<sup>7</sup> the only one of some importance is Gianfrancesco, the

<sup>1</sup> It is significant that in his memorial (see above, p. 110, *n.* 2) Illescas recommends some place other than Rome for the assembly of the council, Doussinague, *Fernando el Católico y el cisma de Pisa*, p. 484.

<sup>2</sup> This idea is developed in Pietro Delfino's letter of 7 March 1512 to Vinc. Quirini; see *P. Delphini Epistolae* (Venice 1524), x, p. 60.

<sup>3</sup> New edition, together with the *Apologia* still to be mentioned, by V. J. Pollet, Rome 1936. The printing of the Roman edition was completed on 19 November 1511.

<sup>4</sup> Especially in c. 27, Pollet, p. 127.

<sup>5</sup> Printed among the works of Gerson, Dupin, vol. II, pp. 976-1002; Villoslada, *La Universidad de Paris durante los estudios de Francisco de Vitoria*, pp. 175 ff. I had no access to the treatise of the Paris canonist Pierre Cordier, mentioned by Pastor, vol. III, p. 829 (Eng. edn., vol. VI, p. 385), the MS of which is at Leyden. John Maior's tract *De auctoritate concilii supra Pont. Rom.* is in Dupin, vol. II, pp. 1131-43; for the author see Villoslada, *La Universidad de Paris*, pp. 127-64.

<sup>6</sup> *Apologia de comparata auctoritate papae et concilii*, completed on 26 November 1512, in Pollet, pp. 201-320.

<sup>7</sup> Summed up in Hefele-Hergenröther, *Conziliengeschichte*, vol. VIII, pp. 470-9; Pastor, vol. III, pp. 829 ff. (Eng. edn., vol. VI, p. 385); also Cyprianus Benetus, *De prima orbis sede, de concilio et ecclesiastica potestate ac de S. D. N. papae supremo insuperabilique dominio opus* (Rome 1512). The printing was completed on



son of the humanist Poggio, because in addition to the usual arguments of the conciliar theory he also notes those of the cardinals of the opposition.<sup>1</sup>

Thus the second attempt at an anti-papal Council in the restoration period proved a failure in spite of the fact that it had been more carefully prepared than the first and stronger arguments had been advanced in its favour; not to mention the support of a powerful ruler and a great nation. For all that, it could not be said that the latent anti-curial opposition, born of the conciliar theory, had been finally overcome, were it only because the Lateran Council failed to come up to the high expectations that had been set on it. Soon after Julius II's death—20 February 1513—a lampoon entitled *Julius exclusus*<sup>2</sup> gave vent to the prevailing discontent. The identity of the author has not been established with certainty, but he was familiar with conditions at the Curia, and most probably was not an Italian. Every just and unjust allegation against the worldly conduct of the masterful pontiff—in fact against the Renaissance Popes in general—is here served up in terms of the bitterest satire. The dead Pope is described as standing at the gate of heaven, praying for admission. However, instead of expressing regret for his wars and his financial transactions, he boasts of them before Peter and

13 December 1512, but the book was only published under Leo X. For the author, a Dominican then teaching at the Sapienza, see *Scriptores ordinis praedicatorum recensiti*, edd. J. Quétif and J. Echard, VOL. II (Paris 1721), pp. 49 ff.; Villoslada, *La Universidad de Paris durante los estudios de Francisco de Vitoria*, p. 329. On the motion of Cardinal Antonio del Monte, Benetus added an explanation of the two corollaries to *Concl. IV*, on the problem of simony by the Pope. His teaching on the council is based on that of Torquemada. Torquemada is also followed by P. Quirini, "Tractatus super concilium generale", in *Annales Camaldulenses*, VOL. IX (Venice 1773), pp. 599-611, composed after 22 February 1512, the day on which Quirini was given the name of Peter in religion; see J. Schnitzer, *Peter Delfin* (Munich 1926), pp. 149 ff. On the tract of the Dominican Alberto Pasquali, *De potestate papae super concilium*, see P. Paschini in *Memorie stor. Forogiuliesi*, xxxviii (1942), pp. 42 ff.

<sup>1</sup> J. Poggius, *De potestate papae et concilii*, probably published in Rome (leaves not numbered). Important for our purpose are arguments 14 (Church and Council as a regulating authority), 19 ("the salt of the earth that has lost its savour"), 23 ("papa incorrigibilis"), 44 (the council without the Pope).

<sup>2</sup> *Julius exclusus e coelis*, last printed in *Erasmi opuscula*, ed. W. K. Ferguson (The Hague 1933), pp. 65-124; the passage on the Council, pp. 89-102; also C. Stange, *Erasmus und Julius II*, pp. 166-97. The earlier editor, Boecking, ascribed the authorship either to the Italian Faustus Andrelinus Foroliviensis who lived in Paris or to his friend Balbi; Allen and Ferguson thought of Erasmus and P. Paschini of Girolamo Rorario (see *Memorie stor. Forogiuliesi*, xxx (1934) pp. 169-216; *Atti dell' Accademia degli Arcadi*, xviii (1934-5) pp. 85-98). C. Stange, "G. Rorario und Julius II" in *Zeitschrift für Systematische Theologie* (1941), pp. 535-88, is of a contrary opinion. There is a translation of the *Julius exclusus* in Froude's *Life and Letters of Erasmus* (London 1894).

when accused takes cover behind the papal supremacy. For us it is interesting to note what he has to say about his attitude to the Council. "It can do me no harm", he declares, "for I summon it and am above it; even in the famous exceptional case of *crimen haereseos*, there is a way out." He then relates with cynical frankness by what means he had managed to undo the Pisan gathering. First he had turned both the Emperor Maximilian and a number of opposition cardinals against it. After that he himself had convoked a Council in Rome, for he knew that none of his enemies would come there. He put off the opening and meanwhile saw to it that only a few foreign bishops would put in an appearance. In this way the composition of the Council was as he wished—and the result was what it was! But it does not matter: better three hundred schisms than to be called to account and to have to submit to a reform!

For the author of *Julius exclusus*, the policy of the Rovere Pope was but a network of cunningly devised ruses for the sole purpose of enabling him, under cover of the primacy, to act as he pleased and to avoid both Council and reform. When confronted with this unjust and spiteful interpretation of the Pope's policy in regard to the Council, an interpretation that denies to the greatest of the Renaissance Popes all sense of responsibility and every inclination to reform, we have to ask ourselves: "What have the Popes of the Renaissance period done to heal the injuries of ecclesiastical life of the existence of which they were well aware?" They entertained grave misgivings about a reform by means of a Council; but what did they do on their own initiative for a solution of the most pressing problem of their time?



*(Photo Alinari)*

POPE JULIUS II

*After the painting by Raphael in the Uffizi Gallery, Florence*

## CHAPTER VI

# The Papacy and Church Reform : The Fifth Council of the Lateran

CHRISTENDOM'S longing for a reform of the Church was the spring from which the idea of a Council was for ever drawing new strength. The question of the Council and the problem of reform had become so closely interwoven that we cannot discuss them separately in this story. No one could deny the need of reform, the only controversy was as to how to go about it.

North of the Alps, where the memory of the reform Councils was still alive, it was thought that the reform of the Church in her head and her members was the duty of a General Council. This strong faith in the healing virtue of such an assembly seemed all the greater for the lack of clarity and unanimity with regard to the programme for reform, and the prevailing unwillingness to begin reform with oneself.<sup>1</sup> The one thing on which there was general agreement was the reform of the head, that is the Roman Curia, so much so, indeed, that it was the proper thing for a writer to win his literary spurs with an exposure of the shortcomings of the Papacy which, in point of fact, were obvious enough.<sup>2</sup> A Council was particularly required for the reform of the Curia, people argued, because only the joint action of the nations would successfully overcome the resistance of those whose interest it was that abuses should continue<sup>3</sup>; only the decrees of a Council would ensure

<sup>1</sup> In his *Advisamenta*, presently to be mentioned, Capranica says: "Tanta enim adversus nos surrexit infamia ut ex omni parte obloquentes et conquerentes audiamus. Quorum plurimos ex hoc novam et impiam assertionem de auctoritate concilii supra papam amplecti videmus, dicentes oportere ut ecclesia his manum apponat". Vat. lat. 4039, fol. 17<sup>v</sup>. Forty years after the Council of Basle Peter Numagen gave it as his opinion that if Christendom were left without a Council for another forty years, there would only be left a small remnant. Hottinger, *Historia Ecclesiastica*, VOL. IV, p. 522.

<sup>2</sup> H. Finke, *Das ausgehende Mittelalter* (Munich 1900), p. 20.

<sup>3</sup> For these reasons Vincent of Aggsbach goes so far as to advocate a refusal of obedience and a demand for a schismatical Council, Pez-Hueber, *Thesaurus anecd.*, VOL. V, iii, p. 337.

the permanence of reform once it was begun, since the Pope would be bound by it.<sup>1</sup>

There is both truth and error in this statement. The truth is that strong external pressure was needed to break the chain of abuses; the error lies in the notion of the Pope's subordination to a Council. However, there is strength even in error if it obtains credence, most of all when it is based on experience, as in the present instance. Belief in the need and in the reforming virtue of the Council became one of the most powerful factors to which the Council of Trent owed its convocation. As late as the fifteen-thirties certain Spanish theologians, according to Ortwin Gratius, maintained that the root of all evils was the fact that the Popes would not obey a General Council.<sup>2</sup>

The Popes of the restoration declined to tread the path of conciliar theory. Whenever they and their advisers took up the problem of Church reform, they conceived it almost exclusively not as reform brought about by a Council, but as an effect of papal power operating through legislative acts, such as papal Bulls, or through the decrees of papal legates and visitors *in partibus*.<sup>3</sup> This procedure at once shut the door against the pretensions of the patrons of the conciliar theory, who sought to tie the Pope's hands by means of conciliar decrees and thus to subject him to the reform. It was also a practical solution of the controverted question of authority, besides other advantages that it brought in its train. Obvious abuses in the Pope's own house and in the Curia, in the sphere of benefices and finances and in the concession of dispensations, could be remedied without foregoing a single prerogative. A papal reform always remained under the control of the Pope as an instrument which it was possible to modify, to blunt or to render powerless. Arevalo, the Curia's best-informed spokesman in this matter, urged yet another argument in favour of a papal reform. The Pope alone, he explained, is in a position to reconcile the conflicting interests of the nations and to give due consideration to their individual requirements; the surest guarantee of the execution of reform decrees

<sup>1</sup> When Institoris says: "Autumnant conciliistae papam subiacere statutis concilii universalis" (Hottinger, *Historia Ecclesiastica*, VOL. IV, p. 414), it must be remembered that views of this kind were by no means exclusively held by strict conciliarists. We shall find them in Francisco de Vitoria and at the Council of Trent as the background for many a fight for reform.

<sup>2</sup> *Fasciculus rerum expetendarum seu fugiendarum* (Cologne 1535), fol. 240<sup>v</sup>.

<sup>3</sup> The alternative appears already in the memorial for Nicholas of Cusa (Walch, *Monimenta mediæ ævi*, VOL. I, p. 110): "Certe si dominus apostolicus et sua curia se reformaret vel per concilium generale fieret reformatio generalis, facile membrum ecclesiae unumquodque in suo statu reformaretur."

is the appointment of papal visitors.<sup>1</sup> On the reform of the Curia he has next to nothing to say, while Institoris leaves it to divine omnipotence, which would find ways and means to attain its ends.<sup>2</sup> The election capitulations occupy an intermediary standpoint in so far as they invariably leave the reform of the Curia to the Pope and the general reform of the Church to a Council. However, they failed to influence the Pope's line of action.

Which of the two ways was the right one? What is certain is that the Popes of the restoration chose the latter. As often as they deemed it necessary to lend ear to the demand for a Council and to cut the ground from under the conciliar theory, they themselves initiated reforms and thereby entered on the path of a papal reform of the Church. At Constance, Martin V had bound himself to call a new Council within five years. On the eve of the new Council, which was to meet at Pavia, he requested Cardinals Orsini, Adimari and Carillo to submit a scheme for a reform along these lines. Their work, the *Advisamenta*,<sup>3</sup> is still influenced by the grievances voiced at Constance. There could be no doubt that they would be renewed at the forthcoming Council by the people north of the Alps. The book urges observance of the concordats of Constance in respect of the election of bishops and abbots and warns against too great a readiness to listen to princely recommendations. In the appointment to reserved benefices there should be equal consideration for officials of the Curia and for outsiders. This can be done by means of carefully drawn-up lists of candidates. Pallium fees should be abolished altogether. The cardinals saw quite clearly that a number of abuses which had crept into the appointment to offices and the concession of privileges during the period of the Schism were due to the Pope's financial straits. They accordingly press for a re-organisation of the revenues of the States of the Church and a guaranteed income for the cardinals in accordance with the suggestions made at Constance.

In 1430, on the eve of the Council of Basle, the *Advisamenta* were revised and enlarged by a commission of cardinals consisting of John de Rupescissa, Antonio Cavini, Alonso de Carillo and Ardicinus de Porta. Among other items they added a section on the bishops' duty of residence, and the Council's future president, Cesarini, inserted a

<sup>1</sup> Proofs in *H. J.*, LXII (1942), pp. 172, 174 ff.

<sup>2</sup> "Ecclesiam per concilium reformare non poterit omnis humana facultas, sed alium modum Altissimus procurabit, nobis quidem pro nunc incognitum." Hottinger, *Historia ecclesiastica*, VOL. IV, pp. 313 ff.

<sup>3</sup> *Conc. Bas.*, VOL. I, pp. 163-83; see J. Haller's treatment, pp. 108 ff.

section, *Extra curiam*, which dealt with conditions in England and Germany.

The *Advisamenta* were mere proposals; the Pope alone could give them binding force. This step Martin V did not take, either before the Council of Siena or before that of Basle; but even if he had taken it, it is very doubtful whether he would have forestalled the impending revolution. As a matter of fact no notice was taken of the *Advisamenta* at Basle.

At the termination of the great struggle between Pope and Council, in which the Pope was victorious, the problem of Church reform reappeared. Now it would be seen whether the Popes were willing and able to solve it spontaneously and with their own resources. Nicholas V despatched Nicholas of Cusa to Germany as his legate for the purpose of reform. Cusa's fruitful activity is well known<sup>1</sup>; so are the serious objections of a fundamental character that his reforming activities encountered. "The loss of a thousand talents caused by the neglect of the Council is to be made good with a gratuity of three-pence," was the bitter comment of the Carthusian of Aggsbach.<sup>2</sup> Another bluntly asked the legate: "What about the reform of the head? The reform of the members will be an easy thing once the Pope and the Curia reform themselves."<sup>3</sup>

These were no doubt the objections Cardinal Capranica had in mind when he drew up his *Advisamenta super reformatione papae et romanae curiae*, probably at the beginning of the pontificate of Nicholas V.<sup>4</sup> We are unfortunately ignorant of the circumstances that prompted the document, but its authority is very great, because in its pages we hear one of the outstanding personalities of the period of the papal restoration. Capranica is fully conscious of the responsibility that rests on the Pope as head of the whole Church. If all Christians are bound to obey him—if they wish to save their souls—then the Pope is bound to see to it that the Saviour's grace is made available for all men. If he neglects this duty, the souls that perish will be required at his hands.

<sup>1</sup> Pastor, VOL. I, pp. 467-93 (Eng. edn., VOL. II, pp. 104 ff.). The extraordinarily extensive literature on Cusa which has appeared since that time (1925) is due to the publication of his works by the Academy of Heidelberg, though the editors mostly ignore his ecclesiastical activities. For his legatine journey to Germany, see J. Koch, "Nikolaus von Cues und seine Umwelt", in *Sonderband der Heidelberger Akademie phil.-hist. Klasse*, II (1944-8) (Heidelberg 1948), pp. 45-78.

<sup>2</sup> Pez-Hueber, *Thesaurus anecd.*, VOL. V, iii, pp. 337 ff.

<sup>3</sup> See above, p. 118, n. 3.

<sup>4</sup> Vat. lat. 4039, fols. 16<sup>v</sup>-18<sup>r</sup>, contemporary copy; see Pastor, VOL. I, pp. 414 ff.

Hence Capranica's greatest concern is the choice of good bishops and good parish priests. There must be an end to the practice of indiscriminately admitting to orders the more crafty among the benefice-hunters simply "because they run fastest", as well as known and unknown candidates. Previous to the nomination of a bishop papal commissaries must inquire on the spot into the state of the diocese and the personal character of the candidate. Here we have the germ of the informative process of a later post-Tridentine period. In connexion with the grant of foreign benefices, permanent executors must be appointed whose duty it will be to take care of the interests of the pastoral ministry. To this end they must be empowered to act on their own authority. This was to become the function of the nuncios in the period of the Catholic reformation and counter-reformation. The appointment of inspectors—*speculatores*—would cleanse the offices of the Curia from simony and other abuses.<sup>1</sup> Moral scandals will vanish from Rome if the Pope's court is made a pattern for others. In point of fact reform requires no new laws; if the Pope enforces the observance of the existing ones, and thereby shows that he is in earnest with regard to reform, his voice will be listened to throughout Christendom.

Capranica's memorial reads like a complete programme of the Catholic reformation. A century later it was actually carried out, but after what catastrophes! The Cardinal had a premonition of the approach of "scourges" and "straits"—partly divine punishment, partly simple consequences of neglect. One may wonder how things would have worked themselves out if, instead of Piccolomini, Capranica had obtained the triple crown in 1458.<sup>2</sup>

Pius II—singularly gifted as he was—did not lack a proper appreciation of what was required in the sphere of Church reform. At

<sup>1</sup> Capranica's remarks (fol. 17<sup>v</sup>) on the meddling by strangers with the business of the Segnatura, on the "expeditio per cameram", and on the payment of dues for the expedition of Bulls should be noted. From the remark about the Grand-Penitentiary ("deputandus videtur supra illos vir doctus, habens zelum Dei et salutis animarum") it follows that at this time Capranica did not as yet hold that office, hence the *Advisamenta* must have been written previous to 29 January 1449 (see Göller, *Pönitentiarie*, VOL. II, pp. 1, 9).

<sup>2</sup> For what follows see L. Célier, "L'Idée de réforme à la cour pontificale du concile de Bâle au concile du Latran", in *R.Q.H.*, LXXXVI (1909), pp. 418-35; Pastor, VOL. II, pp. 184-9 (Pius II) (Eng. edn., VOL. III, pp. 269 ff.); pp. 632 ff. (Sixtus IV) (Eng. edn., VOL. IV, pp. 405 ff.); VOL. III, i, pp. 458-62 (Alexander VI) (Eng. edn., VOL. V, pp. 513 ff.); on the reform of the officials of the Curia, see W. von Hofmann, *Forschungen*, VOL. I, pp. 304-21; VOL. II, pp. 227-40; on the reform of the cardinals see my account in *R.Q.*, XLIII (1935), pp. 87-128.



the very beginning of his pontificate he consulted with a number of cardinals, bishops and theologians. We still possess two memorials drawn up at that time, one by the shrewd Venetian Domenico Domenichi, the other by Nicholas of Cusa. However much they may differ on this point or that, on one subject both men are of one mind, namely the gravity of the situation and the need of a reform—hence they also agree with Capranica. “Obedience to the Holy See”, Domenichi bluntly states,<sup>1</sup> “will only be restored on the day when the prelates of the Church, headed by the Pope and the cardinals, begin to seek the kingdom of God instead of their personal advantage.” For him too the promotion to influential posts of men of merit is of the very essence of the reform, whereas papal nepotism, which quite recently, under Calixtus III, had yielded such ominous fruits, is its exact opposite. It is inevitable that a Pope addicted to nepotism should be regarded as a man clinging to flesh and blood instead of following in the steps of Christ. A good deal of space in Domenichi’s memorial is taken up with the reform of the cardinals and their courts and of the prelates of the Curia, for he knew what kind of impression the doings at the Curia made on many pilgrims to Rome. A committee of cardinals should be appointed to see to it that the existing constitutions, more particularly the regulations relating to taxes, are observed in the offices of the Curia. He makes the remarkable recommendation that a fixed salary should be paid to certain categories of officials of the Chancery and the Rota so as to prevent irregularities in the levying of taxes. Nor does he hesitate to examine the problem of the reform Councils. The decrees of Constance and Basle may not be ignored as if they did not exist at all, as has been the case until now. Such conduct undermines in advance the authority of every future Council. The Pope should make a choice from among these decrees and publish them together with the reform decrees of his immediate predecessors, and give them effect, not because he is subject to the superiority decree, but because they are papal laws. Here we have the same procedure as that contemplated by Julius III after the second meeting of the Council of Trent. It actually came near realisation in the unpublished Bull *Supernae dispositionis arbitrio*. A scheme for reform drawn up in the

<sup>1</sup> *Tractatus de reformationibus Romanae curie* (Brescia 1495); Hain, No. 6321, a very rare print; MS Vat. lat. 5869, fols. 17-18<sup>r</sup>; Barb. lat. 1201, fols. 17-20<sup>r</sup>; Barb. lat. 1487, fols. 288<sup>r</sup>-295<sup>v</sup> (from the library of Cardinal Marco Barbo). *Considerationes* 18, 20-2, printed in Hofmann, *Forschungen*, VOL. II, pp. 227 ff.; *consid.* 6 in Steinmann, *Die Sixtinische Kapelle*, VOL. I, pp. 650 ff.

autumn of 1458 took up the suggestion; for the rest it bore a close resemblance to Martin V's reform plans, of which we have spoken above.<sup>1</sup>

Nicholas of Cusa<sup>2</sup> goes deeper and looks further back than either Capranica or Domenichi. For him the reform is a return to the *forma Christi*; its aim is to transform all Christians, beginning with the Pope, into the likeness of Christ. Such an aim determines the means. These are: a reform of the members through three visitors whose action is determined by fourteen rules, the quintessence of which consists in the restoration in all ecclesiastical corporations of the primitive mode of life; a reform of the head, the Pope giving a solemn undertaking that he will comply with the obligations assumed by him in the election capitulation and spontaneously submit to the correction of the visitors. The same undertaking must be given by the cardinals and the entire Curia. Nothing is said about a change in the officialdom of the Curia; what Cusa does stress is the creation of a College of Cardinals independent of external influences and morally irreproachable, whose duty it is to offer counsel to the Pope and, since they represent the Church, to co-operate with him when matters of importance have to be decided. These are familiar notions—Nicholas of Cusa does not allow us to forget that he was once an adherent of the conciliar theory. The institution of visitors and the extensive participation of the College of Cardinals in the government of the Church are intended to remove the lack of confidence in a voluntary reform of the Curia which prevailed abroad: they are a substitute for the controls created by the conciliar theory in the decree *Frequens*.

There can be no doubt that Pius II appreciated these suggestions. The reform Bull *Pastor aeternus*,<sup>3</sup> which appears to have been written by himself, or at least under his inspiration and supervision, during the last months of his pontificate, embodies more than one thought of Cusa's, as when the Cardinal prays the Pope to make a profession of

<sup>1</sup> Vat. lat. 3884, fols. 27<sup>r</sup>-49<sup>v</sup>, quoted with press-mark V<sub>1</sub>, in *Conc. Bas.*, VOL. I, pp. 163 ff.; the section on the Chancery in Tangl, *Kanzleiordnungen*, pp. 361 ff.

<sup>2</sup> Düx, *Nikolaus von Cusa*, VOL. II (Ratisbon 1847), pp. 451-66; better in Ehse, "Der Reformentwurf des Kardinals Nikolaus Cusanus", in *H. J.*, xxxii (1911), pp. 274-97. Unlike Domenichi's, Cusa's proposals were not drawn up at the beginning of the pontificate but at a somewhat later date.

<sup>3</sup> Vat. lat. 12192, fols. 7<sup>r</sup>-42<sup>v</sup> (formerly Vat. Arch., Misc., xi, 134); Barb. lat. 1500, fols. 1<sup>r</sup>-53<sup>r</sup>; table of contents in Pastor, VOL. II, pp. 747 ff. (Eng. edn., VOL. III, pp. 397); the section on the Chancery in Tangl, *Kanzleiordnungen*, pp. 372-9; supplementary notes in Hofmann, *Forschungen*, VOL. II, pp. 229 ff.; on the Sistine Chapel, Steinmann, *Die Sixtinische Kapelle*, VOL. I, p. 652.

faith, to submit to fraternal correction and in important decisions to abide by the opinion of the cardinals. On the other hand, the Bull reduces the role of Cusa's visitors to a purely moral supervision—something like the *censura* of ancient Rome; Cusa's visitors would have wielded too much authority! The reform of the various offices of the Curia takes up far more space in the Bull than in the Cardinal's draft. The Cardinal was not very familiar with these things. A full century before Paul IV, the Bull foreshadows those public audiences by the Pope to which anyone who had a request to make would be admitted.

The unique feature of Pius II's reform Bull, and one never repeated, was that the Pope solemnly bound himself to abide by certain principles in the government of the Church. Aeneas Silvius Piccolomini had been personally present at Basle. He knew what was thought and said about the Curia's willingness to reform and how difficult it would be to overcome this distrust. His successors no longer possessed this insight into the mentality of the opposition beyond the Alps. Each succeeding decade increased the divergence. True, the Bull *Pastor aeternus* had one shortcoming in common with the later ones—it never became law; Pius II died when only the draft was ready.

As far as we know, Paul II made no attempt whatever to reform the Curia. His collaborator, Sánchez de Arevalo, so often mentioned, hardly refers to it in his reform tract *De remediis afflictæ ecclesiæ*, written in 1469.<sup>1</sup> He confines himself to generalities and to the reform of individuals; he is more concerned with other people's reform than with his own. He bluntly rejects the arguments of conciliar theory and looks for salvation from a spiritual and moral conversion of the members of the Church and from their submission to the Pope. If the faith of the Christian people grows stronger; if the clergy reform themselves; if the bishops fulfil the obligations of their state and use their authority with moderation; if the Christian princes shake themselves free of their disorderly passions—then the pressing needs of the Church will be met and a general peace, the crusade against the infidels and the preservation of the freedom of the Church will come of themselves.

All this was quite true. But the question was precisely how and by what means the Church, and above all the Pope, could forward the realisation of these conditions. The writer enumerates some of these means—and they are good ones, such as the appointment of worthy bishops, the despatch of visitors to the various countries, and considera-

<sup>1</sup> Particulars on the MSS and the contents in *H. J.*, LXII (1942), pp. 168 ff.

tion of the claims of scholars and universities in the distribution of benefices. However, even here he loses himself in generalities and remains silent about the one thing that a responsible counsellor should have put before a Pope of the period, namely that the world expected him to start the reform in his own person. In his strictly monarchical system the pyramid was placed on its apex.

The reform plans devised during the first pontificates of the Renaissance, which we have examined in the foregoing pages, continue to make concessions to the spirit of the reform Councils. Even in Arevalo's blunt intransigence some traces of the universalism of the period of the Councils still survive. The aims of the later reform schemes, which were drawn up in Rome, are more sharply defined. Their primary object is the reform of the Curia. Of Sixtus IV's attempts in this direction we know very little; even their date is uncertain, and only one of the reform Bulls drawn up at that time, but never published, dates from the opening days of 1481.<sup>1</sup> Its contents are kept in general terms. Another undated Bull<sup>2</sup> goes into greater detail. It treats first of the reform of the papal household, the cardinals and the Curia in general; it then passes on to the various departments—the Chancery, the Rota, the Segnatura, the Penitenzieria. When the scheme was once more taken up under Julius II, the reform of the Dataria was also passed over, yet it was precisely the Dataria that had undergone a most ominous development under the first Rovere Pope in consequence of the extension of compositions. No directions were laid down to ensure the reforms. We only hear a faint echo of the decree *Frequens*: instead of the Councils there prescribed, papal visitors were to be despatched to the various countries at intervals of ten years.

Pietro Barozzi, the reforming Bishop of Padua, blames the cardinals for the failure of Sixtus IV's reform. However, even if the accusation were justified, it must ultimately fall on the Pope, for it was precisely his pontificate that witnessed the greatest increase in the Sacred College's worldliness. His liberality in granting privileges, indulgences and favours of every kind, his weakness for his nephews, his underhand

<sup>1</sup> *Supernae dispositionis arbitrio*, Vat. lat. 3883, fols. 168 and 170, dated XI kal. Martii 1480 (1481) as calculated from the Incarnation.

<sup>2</sup> *Quoniam regnantium*, Vat. lat. 3883, fols. 14<sup>r</sup>-24<sup>v</sup>; another copy, revised, Vat. lat. 3884, fols. 118<sup>r</sup>-132<sup>v</sup>, also with additions from the time of Alexander VI, both undated. The corresponding parts are printed in Tangl, *Kanzleiordnungen*, pp. 379-85; Hofmann, *Forschungen*, vol. II, p. 231; Steinmann, *Die Sixtinische Kapelle*, vol. I, p. 653; ordinances against luxury in *Archiv. Soc. Rom. di Storia Patria*, I (1878), pp. 479 ff.

Italian policy, the increase of fiscal charges in consequence of his endless financial straits, made the reign of this papal patron of the arts one of the most disastrous of the whole period. It was no accident that he should have had to contend so often with the demand for a Council. The government of this personally devout and good-natured pontiff gave his enemies too many openings for attack. He knew how to evade them, but not how to disarm them. Only an iron determination to reform could have achieved this: Sixtus IV lacked such will-power.

It goes without saying that no such determination could be looked for from Alexander VI. Yet it is a fact that the reform initiated by him in the summer of 1497, when he was badly shaken by the assassination of his favourite son, was seriously meant at first.<sup>1</sup> That it was so is guaranteed by the personal character of the cardinals to whom he entrusted the preliminary work. They were the energetic Oliviero Carafa, the aged Portuguese Costa, the blameless Francesco Piccolomini. These men were assisted by the most famous canonists of the time, Sangiorgio and Felinus Sandaeus. The numerous drafts that have come down to us show that these men were not wanting in insight: they saw the core of the problem quite clearly: "The first thing is that our hearts be cleansed within us," Carafa wrote in his memorial. Whatever was required could be summed up in one word of St Bernard of Clairvaux: "Let the Pope realise that he is the successor of Peter, not of the Emperor Constantine, and that Peter was commissioned by our Lord to feed his sheep. The most grievous danger for any Pope lies in the fact that, encompassed as he is by flatterers, he never hears the truth about his own person and ends by not wishing to hear it." The psychological problem of supreme power is plainly stated in these words. These men were well aware that the rising flood of worldliness and corruption could only be arrested by stringent measures of control and punishment, and that the worst defect of the previous projects had been the lack of sanctions. It must have been the canonists of the reform commission who hit on the idea of guarding the prospective reform against arbitrary rule and ensuring its continuance by means of

<sup>1</sup> L. Célier, "Alexandre VI et la réforme de l'Eglise", in *Mélanges d'archéologie et d'histoire*, xxvii (1907), pp. 65-124, on the basis of material gathered in Vat. lat. 3883 and 3884. Célier prints the memorial of F. Piccolomini, pp. 100-3, that of Costa, p. 104, and an anonymous French one on pp. 105-8; Carafa's, Vat. lat. 3884, fols. 110<sup>r</sup>-114<sup>v</sup>, is not printed. The corresponding parts are printed in Tangl, *Kanzleiordnungen*, pp. 386-421; Hofmann, *Forschungen*, vol. II, pp. 232-40; Göller, *Pönitentiarie*, vol. II, ii, pp. 101-32; Steinmann, *Die Sixtinische Kapelle*, vol. I, pp. 654-6; for the Datary, see L. Célier, *Les Dataires du XV siècle* (Paris 1910), pp. 143-6.

a new collection of papal decretals under the title of *Constitutiones Alexandrinae*.

Were the authors of the project alarmed by their own boldness? Or did the Pope himself clip their wings through his confidants, the two secretaries Podocataro and Flores? The fact is that the final text of the reform proposals, that is, the Bull *In apostolicae sedis specula*, bears not the remotest resemblance to the excellent intentions of which the first drafts had given proof. The Bull by-passes precisely those issues which were the heart of the matter, viz. the personal reform of the Pope, while the question of guarantees is ignored. For the rest, it is more comprehensive than the previous Bulls, at least as regards the reform of the officials. From Pius II's draft it borrows the office of the censors of the Curia. It condemns the worldliness of the College of Cardinals in sterner terms than Sixtus IV's. Above all, the Bull criticises the College's growing tendency to become a political body. The chapters dealing with the nomination of bishops, their duty of residence and the routine of the Segnatura touch on topics of vital importance for the reform of the members. However, even this reform programme, the most comprehensive of the whole period between the Council of Basle and that of the Lateran, was only a straw fire. It went out at the same time as the Pope's grief over the tragic death of his son was assuaged. The reform Bull never became law.

Julius II took a first step towards a reform of the Curia by the appointment for this purpose of a committee of eight cardinals.<sup>1</sup> When he took this decision, on 10 March 1512, he was actuated by the same motive as Martin V in his day. The committee was charged to prepare a programme of reform in view of the forthcoming Lateran Council, which was convened for 1 May. The result of these labours was not long delayed. It took the form of a Bull published on 30 March 1512, by which the taxes were brought back to the level at which they had stood at about the middle of the fifteenth century. The Bull confined itself to the most crying abuses but did not go sufficiently into particulars and left gaps in its penal stipulations. It may be questioned whether it ever yielded any practical result. As early as the following year the Lateran Council busied itself with the same problem.

<sup>1</sup> Brief to Cardinal Medici in Desjardins, *Négociations*, vol. II, pp. 574 ff.; the names of the cardinals are not known. Paris de Grassis (Döllinger, *Beiträge*, vol. III, p. 416) speaks of ten "deputati super rebus concilii" whereas Sanudo, *Diarii*, vol. XIV, pp. 48 f., 75 f., is silent on the subject. For the Bull on taxes, 30 March 1512, partly based on the reform plans of Pius II, Sixtus IV and Alexander VI, see Hofmann, *Forschungen*, vol. I, pp. 273 ff., 313 ff., vol. II, p. 54.

The fifth Lateran Council<sup>1</sup> was the last attempt at a papal reform of the Church before the break-up of Christian unity. It met in Rome under the eyes of the Pope, and was almost exclusively attended by Italian bishops. Thus it conformed perfectly to the conception of a papal General Council which had taken shape in the course of the restoration period. The Pope himself settled the order of procedure and named the officials of the Council at its first session, 10 May 1512. His influence was decisive in determining the composition of the committees formed on 3 May 1513 and further expanded on 26 October 1516.<sup>2</sup> The decrees were published in the form of papal Bulls.

The first period of the Council under Julius II (Sessions 1-5, from 3 May 1512 to 16 February 1513) was almost exclusively occupied with the fight against Pisa and the struggle for its own recognition by the various states. It was only after the danger of a schism had been averted, under Leo X, that the reform of the Church, which had been described as the Council's chief task in the opening discourse of Egidio of Viterbo, the General of the Augustinians, came up for discussion. At that time not a few people hoped that the thirty-seven-year-old Pope would bring about the finest thing of all—a renewal of the Church. Two Venetians, Tommaso Giustiniani and Vincenzo Quirini, who had recently entered the Order of Camaldoli, presented to the Pope a voluminous memorial which was both the widest and the boldest of all the many reform programmes drawn up since the conciliar era.<sup>3</sup>

<sup>1</sup> The conciliar acts printed in 1521 by Cardinal Antonio del Monte, uncle of the future Pope Julius III, in Labbé-Cossart, *Sacrosancta concilia*, VOL. XIV, pp. 1-343; Mansi, VOL. XXXII, pp. 649-1002; see Hefele, *Conziliengeschichte*, VOL. VIII, pp. 497-538, 558-735. For the remaining sources, few in number, see the *Diarium* of Paris de Grassis, the reports of Cardinal Lang and those of the Bishop of Vich; also E. Guglia, "Studien zur Gesch. des V. Laterankonzils", in *Sitzungsberichte der Wiener Akad. phil.-hist. Klasse*, CXL (1899), p. 10, and CLII (1906), p. 3; to which must be added a number of data in Books x and xi of Pietro Delfino's correspondence: *P. Delphini Epistolae*; the more recent literature in Pastor, VOL. III, ii, p. 846 (Eng. edn., VOL. VI, p. 406); VOL. IV, i, pp. 559 ff. (Eng. edn., VOL. VIII, pp. 384 ff.); Imbart de la Tour, *Origines*, VOL. II, pp. 515 ff. The controversy about the meaning of the definition of the immortality of the soul (in the eighth session) between C. Stange, in *Zeitschrift für systematische Theologie*, VI (1928), pp. 338-444; x (1932), pp. 301-67, and A. Deneffe, in *Scholastik*, v (1930), pp. 380-7; VIII (1933), pp. 359-79, does not touch on the question of reform which alone concerns us.

<sup>2</sup> Guglia observes (*Wiener Sonderb.*, CXL, p. 33) very justly that neither these commissions nor the very rare general congregations played any marked role, but that the centre of gravity of all conciliar activity lay in the consistory and in the Pope's entourage.

<sup>3</sup> "Libellus ad Leonem X", J. B. Mittarelli-A. Costadini, in *Annales Camaldulenses*, VOL. IX (Venice 1773), pp. 612-719; discussed by J. Schnitzer, *Peter Delfin* (Munich 1926), pp. 227-47; see also the remarks of S. Merkle in *Deutsche Literaturzeitung*, XLIX (1928),

The grandeur of their plan chiefly lies in the fact that they do not waste words in laments over existing abuses and in suggesting punishments and prohibitions. Instead of spending their energies over the purely negative side of the problem they suggest to the head of the Church positive aims and tasks. Pride of place is assigned to the missions in the recently discovered continent of America and to union with the Eastern Christians, whose numbers, however, they overestimate considerably. They ruthlessly expose the internal injuries of the Church: the ignorance of the clergy and religious, of whom only two per cent. are said to understand the Latin of the liturgical books; ignorance among the laity, who should be instructed on the fundamental truths of the faith at least on all Sundays; superstition, which had infiltrated into every sphere of public and private life. Entangled as they are themselves in these and other miseries, the clergy have forgotten that it is their duty to act as leaders. Responsibility for all this lies largely with the Popes, who have surrounded themselves with benefice-hunting flatterers and allowed Rome to become a shameful *lupanar*!

The frankness with which Giustiniani and Quirini exposed the Church's infirmities calls to mind a later reform memorial which became widely known under the title of *Consilium de emendanda ecclesia*. The connexion is not a purely fanciful one, for one of the authors of the *Consilium* was Gasparo Contarini who had been connected from his youth with the two Camaldolese monks both by ties of close friendship and by a community of ideas. Although a whole fateful quarter of a century intervened between the publication of these two memorials, they are at one in their condemnation of the Renaissance Popes' absorption in politics and their bureaucratic centralisation. In its place the Papacy should promote a renewal of spiritual inwardness and concord within the Church. This new spirit which was to replace the old system is already stamped with all the essential characteristics of the Papacy of the Catholic reformation. Its outstanding feature is the principle that the Pope is responsible for the functioning of all the members of the ecclesiastical hierarchy. His immediate assistants, the cardinals, must assume no other obligations, with the sole exception of the administration of their titular churches. For their income they should depend on pensions. Every three years bishops must give an

pp. 1347 ff. H. Jedin, "V. Quirini und P. Bembo", in *Miscellanea Giovanni Mercati*, VOL. IV, pp. 407-24; *id.* "Ein Vorschlag für die Amerikamission aus dem Jahre 1513", in *Neue Zeitschrift für Missionswissenschaft*, 1946, pp. 81-4.



account of their administration to them, and this must be periodically verified on the spot by papal legates. Great care must be taken that only morally suitable and adequately trained candidates are admitted to holy orders. No one may be admitted to the higher orders who has not read the whole Bible through at least once. For the benefit of the laity the Bible must be translated into the vernacular. The religious orders must be reorganised and unified. Some of the lesser ones may be suppressed altogether. The houses that follow the Rule of St Benedict should be grouped together. The mendicant orders should be reduced to two, one following the Rule of St Francis, the other that of St Augustine, while their conventual offshoots should be allowed to die out by forbidding them to receive new subjects. A thorough revision of the *Corpus juris canonici*, omitting obsolete canons, will facilitate a comprehensive view of Church law. Uniformity in the liturgy must be achieved by the introduction of an identical Missal, Breviary and Calendar of Feasts throughout the Church. A selection of the decrees of some of the earlier Councils should be published. One indispensable means for ensuring the execution of these reforms is the frequent holding of chapters for the religious orders and of diocesan and provincial synods—the latter under the presidency of papal legates—as well as the convocation of a General Council every five years. Without making the slightest concession to the conciliar theory,<sup>1</sup> Giustiniani and Quirini view the Council as the regulator of the whole life of the Church. Let the Lateran Council make a start. It should be made a great Council of reform and unity to which the Eastern Christians should be invited. It would be a good thing to look thus early for men capable of carrying through the reforms which the Council would decide upon.

It is no exaggeration to say that the reform programme of the two Camaldolese monks preoccupied the Church for more than a century. The Council of Trent, the liturgical reforms of Pius V, the Bible of Sixtus V, the foundation of Propaganda, are all in line with these plans. But the vision which the trained and prophetic eye of the high-minded Venetians beheld was too lofty both for the Pope to whom they addressed themselves and for the Council assembled before their eyes. Pope and Council disappointed the hopes that had been set on them.

<sup>1</sup> Quirini's "Tractatus super concilio generali", printed in *Annales Camaldulenses*, VOL. IX, pp. 599-611, is an extract from Torquemada's *Summa de ecclesia*. Quirini's lively interest in the proceedings at Pisa appears from his letter of 21 January 1512, *ibid.*, VOL. IX, p. 538.

In the session of 25 April 1513, Leo X formed indeed a reform committee consisting of eight cardinals, ten bishops and two generals of religious orders. On 26 October of the same year this committee split up into five sub-committees, each consisting of two cardinals and two bishops, for the purpose of working out a reform of the Camera, the Chancery, the Rota, the Secretariat and the Penitenzieria.<sup>1</sup> However, each of these sub-committees had assigned to it, in the capacity of advisor, a representative of the category of officials concerned. This application of the brake effectively prevented any radical steps being taken.<sup>2</sup> Its evil consequences showed themselves as soon as the overdue regulation of the system of taxation came up for discussion. The Bull *Pastoralis officii* of 13 December 1513,<sup>3</sup> contrasting in this respect with the Bull of Julius II, enforced a firm system of taxation but also yielded to the demands of officials to such an extent that the result proved a step backwards rather than forwards. It is significant that in the eighth session, 19 December 1513, this taxation Bull was not presented but only a Bull of sanctions and threats of punishments which called forth protests from four Italian bishops.<sup>4</sup>

The great reform Bull which was submitted and accepted in the following session, the ninth, 5 May 1514,<sup>5</sup> imposed a reform of the Curia which conformed to the earlier schemes. Thus rules were laid down for the process of information about candidates for the episcopate; the cardinals were given directions for the administration of their titular churches and other benefices; they were enjoined to show moderation in providing for their relatives and in their household expenses. Stress was likewise laid on the observance of the professional secret. Further salutary ordinances were concerned with religious instruction in schools; with simony and the usurpation of Church property by laymen. But

<sup>1</sup> The composition of the sub-committees in Hefele, *Conziliengeschichte*, VOL. VIII, pp. 810 ff.

<sup>2</sup> Hofmann, *Forschungen*, VOL. I, p. 306, lays the blame for the blocking of the reform of offices mainly on the Datary Lorenzo Pucci, who was a member of the fourth sub-committee, which also included the General of the Camaldolese Delfino, a man wholly devoted to the Medici; the letters in *P. Delphini Epistolae*, VOL. XI, pp. 7 ff., refer to his share in its work.

<sup>3</sup> *Bull. Rom.*, VOL. V, pp. 571-601; Hofmann, *Forschungen*, VOL. I, p. 274; VOL. II, p. 55 (No. 242).

<sup>4</sup> The Bull *In apostolici culminis* in Labbé-Cossart, *Sacrosancta concilia*, VOL. XIV, pp. 219-30; Mansi, VOL. XXXII, pp. 845-85; Hofmann, *Forschungen*, VOL. II, p. 55 (No. 243).

<sup>5</sup> The Bull *Supernae dispositionis arbitrio*, Labbé-Cossart, *Sacrosancta concilia*, VOL. XIV, pp. 219-30; Mansi, VOL. XXXII, pp. 874-85; Hefele, *Conziliengeschichte*, VOL. VIII, pp. 602-10.

one misses the strong hand which alone could have coped with fundamental evils in the sphere of benefices and finances. What was the good of forbidding the giving of monasteries *in commendam* if an exception was made for the cardinals? And was it enough to restrict to four the number of benefices that might be held by one individual?

Besides this reform Bull, a number of most timely decrees, such as those on pawnshops (*Montes pietatis*) and the censoring of books, were published in the tenth session, 4 May 1515, and a decree on preaching in the eleventh session, 19 December 1516.<sup>1</sup> However, these and all the other well-meant measures lost much of their value on account of the lack of earnestness and determination of the leading personalities, beginning with the Pope himself. Leo X's registers are all too revealing on this subject. We see him dealing out with both hands, as a man might scatter pennies, both benefices with the cure of souls attached to them and dispensations. Of a sense of responsibility for the souls whose salvation was at stake there is hardly a trace. Actually there is no difference of opinion among experts about the fact that this final attempt by a Pope at a reform, dressed up though it was as a Council, was of little value. At Trent its formal recognition was vehemently resisted by several Spanish bishops on the ground that some of its decrees had increased rather than lessened the prevailing disorder—*deformatio*—in the Church.<sup>2</sup> Of the other great aims which Giustiniani and Quirini had proposed to the Council, only one was realised, viz. union with the Maronites. As for the Turkish war, the assembly never got beyond mere talk.<sup>3</sup>

As was to be expected, the Council followed the line which the Curia had always taken against the conciliar theory, in fact it went even further. The Bull *Pastor aeternus*, which condemned and suppressed the Pragmatic Sanction of Bourges, contained a statement to the effect

<sup>1</sup> See e.g. Imbart de la Tour, *Origines*, VOL. II, pp. 531 ff.; Pastor, VOL. IV, pp. 576 f. (Eng. edn., VOL. VIII, p. 409 f.). The general result is not altered in any way by the reforms which were initiated in some instances under pressure of episcopal opposition ("instante gravissimo concilii periculo"); see Jedin, *Seripando*, VOL. I, pp. 159 ff. (Eng. edn., p. 135).

<sup>2</sup> *C.T.*, VOL. I, pp. 127, 132. According to nuncio Verallo's report of 17 March 1547, the Emperor's confessor D. Soto regarded the Council of the Lateran as formally unfree; *N.B.*, VOL. I, ix, p. 519.

<sup>3</sup> Guglia, "Die Türkenfrage auf dem Laterankonzil", in *M.Ö.I.G.*, XXI (1900), pp. 679-91. E. Pelliccia, *La preparazione ed ammissione dei chierici ai santi ordini nella Roma del secolo XVI* (Rome 1946), pp. 85 ff., also grants that the attempts of Julius II and Leo X to make better provision for the conferring of holy orders suffered from two defects—as did those of the fifth Lateran Council—viz. they were purely repressive and the most important element was wanting, namely "effettiva e costante esecuzione".

that the Pope's authority extends over all Councils, hence he has full power to convoke, transfer and dissolve them.<sup>1</sup> To the papal prohibition of appeal to a Council the assembly now added a condemnation of the theory itself. On the other hand it is clear that the Curia did not feel equal to a formal declaration of the nullity of the superiority decree of Constance and Basle, as was suggested in Ferdinand the Catholic's instructions to his envoys to the Council. That declaration was not made, for in spite of what we have said about the composition, the progress and the spirit of the fifth Lateran Council, it was in this assembly that the vital tensions within the Church became apparent and the impending crisis cast its shadow before.

The alarm was first sounded in Spain. Soon after Ferdinand the Catholic had announced his adhesion to the Council he called a committee of six bishops, three diplomats and six theologians and canonists, for the purpose of briefing the delegates to the Council. The committee met at Burgos on 17 December 1511. Several other prelates were invited to submit memorials. It was on the basis of this material that the King had instructions drawn up for the Spanish envoys to the Council.<sup>2</sup> The reform programme there outlined betrays so profound a dissatisfaction on the part of the Church and the Crown of Spain with the Curia's policy in the sphere of benefices and dispensations that it ranks with the Pragmatic Sanction of Bourges and the *gravamina* of the German nation, although it is superior to the Sanction in that it makes no concession to the conciliar theory, and to the *gravamina* in that it is not so narrowly inspired by financial considerations. Above all, its positive and constructive elements raise it above both these documents and make of it a forerunner of the Tridentine reform programme.<sup>3</sup>

<sup>1</sup> Mansi, VOL. XXXII, p. 967; Hefele, *Conziliengeschichte*, VOL. VIII, pp. 710 ff.

<sup>2</sup> The Spanish preparations for the Council, of which until now only the two pieces published by Döllinger (*Beiträge*, VOL. III, pp. 200-8) were known, namely the protocol of Burgos and an episcopal "votum", have had light thrown upon them through the researches of Doussinague, *Fernando el Católico y el cisma de Pisa*, pp. 230-44, and the documents printed in the appendix, pp. 521-43. The most important piece is the "votum" of the Bishop of Burgos (No. 48), which is identical with the anonymous "votum" printed by Döllinger, the "votum" of the Archbishop of Seville (No. 49) and the instructions for the envoys to the Council (No. 50). All three documents probably date from the beginning of the year 1512.

<sup>3</sup> The positive side of the Spanish reform programme will be discussed later; for the moment it may suffice to point out that the Spanish bishops demanded the restoration of their episcopal rights, for the sake of their pastoral duties. Other particulars were: the effective establishment of two teaching-prebends in cathedral and collegiate churches, which was adopted at Trent, *sess. V de ref. c. 1*; the grant of parishes on the basis of a competition on the model of what was done at Palencia adopted at Trent, *sess. XXIV de ref. c. 18*.

The Spaniards urge a *reformatio capitis*, for "judgment must begin in the house of the Lord", but by this they do not mean any petty restrictions of the papal household, but a reform of the College of Cardinals in the sense of the decree of Basle, which, though formally invalid, was yet, as regards its contents, "just and holy". They demand that the business of the Curia should be transacted in accordance with common law and in the interests of the pastoral ministry. They insist above all on the preservation of Spain's interests in the ecclesiastical sphere. The instructions demand that no Spanish benefices be granted to foreigners; that Spanish houses of Dominicans and Franciscans be placed under Spanish superiors in place of French ones, and that the dignity of Grand Master of the three Spanish orders of knighthood be for ever vested in the Crown. In accordance with the decree of Constance, the Curia's right to *spolia* must be completely given up, while annates must be abolished by a new conciliar decree on the lines of that of Basle, which, though formally invalid, is nevertheless materially right and just. Bishoprics and other benefices under royal patronage may not be considered as reserved, even if they become vacant in Rome; no expectatives may be granted for benefices subject to patronage in Castile.

This is the language of the modern state, anxious to use the authority of the Church for its own ends and to get the right of nomination to offices and positions into its own hands to the farthest possible limits. The memorials of the Bishops of Seville and Burgos are indeed silent about annates, but they complain all the more loudly of interference with the ecclesiastical order by curial dispositions, such as the appointment of apostolic judges on the proposal of a party, the indiscriminate granting of faculties to titular bishops, dispensations for the ordination of clerics who have been turned down in their own diocese, dispensations from fasting granted to layfolk, so much so that almost every *caballero* eats meat during Lent. They lament the neglect of the duty of residence by the pastoral clergy on the plea of apostolic indults, of exemptions which undermine discipline, of the commendams which are the ruin of monasteries. Every disorder and every kind of evil, in the opinion of the Archbishop of Seville, is due to the fact that the Curia is too ready with dispensations from common law and from the canons of the Councils.<sup>1</sup> The Bishop of Burgos, for his part, declares that "unless

<sup>1</sup> "Premieramente se deuria ynsystir que la disposiçion de los sacros canones y orden del derecho comun e las constituçiones de los conçilios generales que fueron ordenadas por bien universal de la yglesia y con tanta deliberaçion, no seo quebrantado tan continua-e ordinariamente como se haze, e que se reduga la orden de la yglesia e

care is taken that the general reform decrees of the forthcoming Council are not arbitrarily altered by the Pope and the cardinals, we shall waste both time and money".<sup>1</sup> In order to hit the nerve-centre of the curial bureaucracy he suggests that the thesis that the Pope is incapable of committing simony should be branded as heresy. King Ferdinand himself, though the Pope's ally, advocates, with his demand for a guarantee that a General Council should be held every ten or fifteen years,<sup>2</sup> a new *Frequens* in the same breath in which he supports the declaration of nullity of the superiority decree of Constance.

Thus it came about that the Catholic King and the representatives of the Spanish Church—the very factors from which the Catholic reform might expect lasting support, proclaimed that a change in the conditions at the centre of authority was inescapable. So great was their mistrust that they felt they could not dispense with the control which the regular holding of Councils would provide.

Leo X's fear that a strong representation of nations beyond the Alps—Spain, France, Germany—at the Council, would bode ill for the Papacy was not altogether groundless.<sup>3</sup> If the Spaniards came forward with reform plans such as these, the French with the decrees of Basle, and the Germans with their *gravamina*, the Curia would be hard pressed, and it was not yet certain whether it could rely upon the unconditional support of the Italian bishops. Actually, in spite of the fact that the personnel of the Lateran Council was made up almost exclusively of Italian bishops, a sharp opposition to the privileges of the mendicant orders arose from it and, parallel with it, a demand for the

de todos los negoçios eclesiasticos al derecho comun porque de aqui proçeden todos los ynconvenientes e desorden que ay en las cosas eclesiasticas." Doussinague, *Fernando el Católico y el cisma de Pisa*, p. 532.

<sup>1</sup> "El santo concilio suplique al Papa que la autoridad de este concilio y lo en el determinado quede perpetuo de manera que por sola la boluntad de santo padre ni de los Cardenales se puedan mudar las cosas en este concilio determinadas especialmente en lo que toca a la elettion del Papa e comun reformation de la yglesia. . . . Si esto no se hace por demas es expender tiempo y dinero en esto negocio." Doussinague, *Fernando el Católico y el cisma de Pisa*, p. 530; Döllinger, *Beiträge*, VOL. III, p. 203.

<sup>2</sup> "Yten porque vemos por la experiençia quanto provecho trahe a toda la yglesia catholica la congregaçon del conçilio universal y quanto daño de no se celebrar, proporneys que se guarde la constitucion 'frequens' del Concilio de Constançia en la session XXXIX la qual manda que le diez años aya conçilio general y se haga otra de nuevo que disponga lo mismo y si este paresçiere breve tiempo que sea de quinze en quinze años por manera que todavia se çelebre conçilio." Doussinague, *Fernando el Católico y el cisma de Pisa*, p. 539.

<sup>3</sup> In his conversation with Bembo and Quirini, on 15 April 1514, the Pope expressed a fear that "si riducesse l'autorità nostra e di nostri successori ad autorità solo spirituale". Their despatch was published by V. Cian in *Archivio Veneto*, xxx (1855), pp. 394 ff.

restitution of episcopal rights.<sup>1</sup> The bishops were loud in their complaints. Exempt religious, they say, administer the sacraments, preach and even build churches without their authorisation; in fact, they openly resist the bishops and, in contradiction with their rules, acquire property and possessions, not infrequently through legacy-hunting. They also encroach upon the claims of the secular clergy to the tenth and to burial fees. The bishops insist on the right of visitation at least of such religious as were engaged in the pastoral ministry, and in the withdrawal of all papal privileges which conflict with the rights of bishops and parish priests. In short, they complain that the extravagantly extended privileges of the exempt had robbed them of their authority as bishops.

There was nothing substantially new in these demands of the bishops. For the most part they were as old as the mendicant orders themselves and the inevitable consequence of their pastoral activity, which rested on papal authorisation. The problem had been the subject of heated discussion at Basle.<sup>2</sup> Up to this time the mendicants had always succeeded in warding off all attacks, and now also, under the inspiration of the General of the Dominicans, Cajetan, and the General of the Augustinians, Egidio of Viterbo, they put up an effective defence with the result that although the Bull *Regimini universalis ecclesiae* of 4 May 1515<sup>3</sup> limited the circle of exempt secular clerics and subjected secular chapters and convents of nuns to episcopal visitation and correction and met the bishops in other ways also, for instance with regard to appeals, it nevertheless avoided trenching on the privileges of exempt orders of men. Even those demands which the ordinaries pressed with the utmost determination, such as the right of visitation of religious with the cure of souls and the approbation of confessors and preachers who were members of religious orders, were indeed granted by the Bull *Dum intra mentis arcana* of 19 December 1516, but only with important restrictive clauses.<sup>4</sup>

<sup>1</sup> The memorial of the bishops, unfortunately without date, in Hefele, *Conziliengeschichte*, VOL. VIII, pp. 813 ff.; *ibid.*, pp. 814-31, the very clever counter-proposals of the religious. In default of other sources it is impossible to reconstruct the chronological development of the dispute.

<sup>2</sup> For a good survey of the development of the controversy up to the Council of Basle, see G. Meerseman, *Giovanni di Montenero O.P., difensore dei Mendicanti* (Rome 1938), pp. 16 ff.

<sup>3</sup> Labbé-Cossart, *Sacrosancta concilia*, VOL. XIV, pp. 252-6; Mansi, VOL. XXXII, pp. 907-12.

<sup>4</sup> Labbé-Cossart, *Sacrosancta concilia*, VOL. XIV, pp. 315-19; Mansi, VOL. XXXII, pp. 970-4. From a letter of Egidio of Viterbo to the provincial of Aragon, dated 12 February 1517, we learn that he was entirely satisfied with the result; see Jedin, *Seripando*, VOL. I, p. 160.

What was new and unexpected in this agitation was the circumstance that this time opposition did not include any German or Spanish bishops or French doctors; on the contrary it came from Italian prelates whose sympathies with the Curia were unquestionable, and what is more, on the sole ground that they felt the privileges of the religious cramped their episcopal authority to an intolerable degree. Just as the College of Cardinals—though their position in the Church was of the Pope's making—sought to circumscribe the pontiff's freedom of action by means of election capitulations and continued to demand a reform and a Council, so did the bishops bring forward their much older demands. The most distinguished members of the hierarchy knew from personal experience that the balance of power in the ecclesiastical organism was somehow upset. It was not within their competence to restore it, were it only because by its policy of concordats and its other concessions to the states, the Papacy had had its spiritual authority recognised and had increased its political influence, the natural basis of which lay in the restored States of the Church.<sup>1</sup> Its alliance with the states had enabled the Papacy to triumph over the reform Councils. And now the French concordat of 1516 was to demonstrate before the whole world that even the most powerful European state—after the collapse of the ecclesiastical opposition of Pisa which it had engineered—chose to come to terms with the Pope, and that directly, without the intervention of a Council.

What a difference there is between Leo X's standing at the time of the Lateran Council and that of the fugitive Eugenius IV at the time of the Council of Basle! Surrounded as he was by the most brilliant court in Europe, in the Rome of the high Renaissance, which Bramante, Michelangelo and Raphael were busy adorning with their masterpieces, exalted to the sky by the humanists who enjoyed his favour, Leo X might well have persuaded himself that schism and Council were but a bad dream, the anti-Roman opposition of those beyond the Alps and the cry for a reform of the Curia no more than a protest of late-comers, malcontents and everlasting fault-finders. His was a dreadful mistake. The fire of a religious revolution broke out in the house before its

<sup>1</sup> In this matter I am in complete agreement with W. Bertram, *Der neuzeitliche Staatsgedanke und die Konkordate des ausgehenden Mittelalters* (Rome 1942), pp. 171 ff., except for the statement that at the beginning of the sixteenth century the idea of the Council had lost its force (pp. 175 ff.). It is a commonplace with the writers of the period of the restoration that the democratic ideas of the epoch of the Councils were a danger for the monarchy as an institution, but this did not prevent the political misuse of the idea of the Council by the princes, nor the aspirations for a Council in those ecclesiastical circles which desired a reform.



## THE COUNCIL OF TRENT

inmates were aware of it. Those who had watched the approach of the calamity and had endeavoured to arrest its progress were no more, while those who sought to put out the conflagration lacked the necessary strength. For more than a century and a half men had devised plans for a reform of the Curia and the Church. It had been discussed and written about, but never had a liberating step been taken by which the Papacy would have placed itself at the head of a movement for the Church's renewal. A grand opportunity had been missed.

## The Spontaneous Reform of the Members

WAS there no other means of reforming the Church except by way of the Council and the Pope? While the Council of Basle was sitting, the Dominican Johann Nider wrote<sup>1</sup>: "I have not the slightest hope of a general reform of the Church either at present or in the near future, for subjects lack good will and in the prelates the reform meets with ill will. Perhaps it is just as well, for the elect are refined by the persecutions of the wicked. On the other hand a partial reform is possible in many countries and localities. We see it gaining ground day by day in monasteries and convents, though God knows amid what difficulties!"

Nider demanded partial reforms, a reform by the members themselves, a reform, that is, which began with personal sanctification but got hold of others through example, through works of charity and apostolic activity and thereby created cells of living Christianity. A reform such as this must needs start from the lower ranks of the ecclesiastical hierarchy, progress from monastery to monastery, from parish to parish, must grip one country after another, until by an organic increase it attains the centre and the head. It was a wearisome and arduous way, because it sent the chosen ones to the school of self-denial and sacrifice and led them to perfection through misunderstandings and failures: it was the way of the saints. This is the way by which Christ led His Church. By comparison with the two others it was a roundabout way. We must now endeavour to trace it out and understand it.

From the end of the fourteenth century cells of personal reform had sprung up in the religious orders—in the old monastic orders as well as in the mendicant ones. It could hardly have been otherwise. It was precisely in these communities, vowed as they were to strive after perfection through the observance of the evangelical counsels, that the contrast between the ideal and the real was most marked in consequence

<sup>1</sup> Johann Nider, *Formicarius*, VOL. I, p. 7 (I make use of the Douai edition of 1602). See K. Schieler, *Mag. Johannes Nider* (Mainz 1885), pp. 174 ff.; for his activities as a reformer of his order see G. Löhr, *Die Teutonia im 15. Jahrhundert* (Leipzig 1924), p. 74 and *passim*.

of the worldliness of many of their members.<sup>1</sup> That is why every monastic reform of the late Middle Ages began with a renewed sense of the ideal of perfection peculiar to each order. This applies to the Congregations of Saint Justina, Valladolid and Chézal-Benoît, and the somewhat looser unions of Melk and Bursfeld, within the Order of St Benedict; to the Canons of Windesheim and the observant Congregations of the mendicant orders. Personal sanctification by a return to the primitive strictness of the rule is always the first step. In the orders devoted to the priestly ministry this step is invariably followed by another, viz. apostolic activity. The first of these two elements is most marked in the Zoccolanti of Foligno, the Hermits of St Augustine of Lecceto and the Servites of Monte Senario; but it is not wanting in the Carmelite monastery of Mantua, in the founders of the Teutonia and the Lombard Congregation of the Dominicans, in Raymond of Capua and John Dominici. None of them presumes to reform the whole Church; they begin with themselves and with their own religious family. Instead of drawing up grandiose reform plans they set to work in good earnest.

Their next step was invariably the re-establishment of an ordered common life, in accordance with the constitutions of each particular order. Common life was imperilled, and that not only in the monastic orders but among the mendicants as well, by the infiltration of private ownership in the shape of money, furniture, books and sometimes even real estate, while the property of the community was often enough very badly managed. For this reason the reformed statutes inculcate the strict observance of the vow of personal poverty while at the same time

<sup>1</sup> For what follows, in addition to Heimbucher, the reader is referred to my paper, "Zur Vorgeschichte der Regulairenreform Trid. Sess. XXIV", in *R.Q.*, XLIV (1936), pp. 231-81. For the orders there only briefly referred to, I have sought information in the works of U. Berlière on Melk in *Revue Bén.*, XII (1895), pp. 204 ff., 289 ff., Chézal-Benoît, *ibid.*, XVII (1900), pp. 29 ff., 113 ff., 252 ff., 337 ff.; XVIII (1901), 1 ff., and Bursfeld, *ibid.*, XVI (1899), pp. 360 ff.; for the last named also in J. Linneborn, in *Studien und Mitteilungen aus dem Benediktiner und Zisterzienser-Orden*, XX (1899), pp. 266 ff., 531 ff.; XXI (1900), pp. 53 ff., 315 ff., 554 ff.; XXII (1901), pp. 48 ff., 396 ff., and P. Volk, *Die Generalkapitel der Bursfelder Benediktinerkongregation* (Münster 1928); also a number of documents on Valladolid in E. Pacheco y de Leva, *La Política española en Italia. Correspondencia de Don Fernando Marín, abad de Najera, con Carlos I*, VOL. I (Madrid 1919); in addition to this there has also been published lately: *Statuta capitulorum gen. Ord. Cisterciensis VI* (Louvain 1938). Cz. Bogdalski, *Bernardyni w Polsce 1453-1530*, 2 vols. (Cracow 1933), only came to my knowledge through a review in *Jahrbücher für Kultur und Geschichte der Slaven*, XI (1935), pp. 129 ff.; A. Barthelmé, *La Réforme dominicaine au XV siècle en Alsace et dans l'ensemble de la province de Teutonie* (Strasbourg 1931); A. de Meyer, *La Congrégation de Hollande ou la réforme dominicaine en territoire bourguignon 1465-1515* (Liège 1945).

they lay down rules for the administration and disposal of the community's property, prescribe a common table and enjoin that every member of the community, especially the sick, should be provided with whatever was required. The monastic enclosure, infraction of which might easily lead to transgressions of the vow of chastity, was re-established. Rules for the novitiate provided for the training of aspirants and the education of the younger brethren. It was in the nature of things that the personal question would be the decisive one, that is, the removal of the reform-shy and the appointment of able local and provincial superiors.<sup>1</sup>

In 1471 the Vicar General of the Dutch Dominicans of the Observance, Jan Uytenhove, wrote: "Partly through the intervention of the Apostolic See, partly at the instigation of princes and other secular lords, and with the concurrence of well-disposed religious the orders have begun to reform in divers parts, nay in every part of Christendom."<sup>2</sup> Begun they had indeed, but the final result was modest enough. Not a single order was completely reformed. Sometimes the new spirit died out with one generation. Endless friction between observants and conventuals hindered the progress of reform. Support by ecclesiastical and secular authorities was spasmodic. Abbeys continued to be granted to cardinals and other great personages and were thereby ruined. The laxity of the Segnatura and the Penitenzieria in granting dispensations undermined discipline in the mendicant orders. The truth was that it was simply not possible to restore any one individual member to full health while the disease-germs were running through the whole organism. The impulse which the fifth Lateran Council gave to the reform of the orders produced no substantial and lasting improvement.

The limited success of the conventual reforms in the late Middle Ages should not lead us to underestimate their internal result. They contributed effectively to the preservation of the Christian spirit in the Church, both within and without the cloister, for the reform of the orders was not without effect upon the outer world. From the monastic

<sup>1</sup> For documents and particulars on the Augustinians, see my book *Seripando*, VOL. I, pp. 157 ff. (Eng. edn., pp. 126 ff.); on the Dominicans, see Löhr, *Die Teutonia im 15. Jahrhundert*, pp. 2 ff., and the lively description of the struggle for a reform of the convents of Ypres and Bergues by G. Meerseman in *A.F.P.*, VII (1937), pp. 191-209; on the Franciscans, see Doelle, *Die Observanzbewegung in der sächsischen Franziskanerprovinz* (Münster 1918), pp. 59 ff.

<sup>2</sup> *Analecta Ordinis fr. Praedicatorum*, XVI (1923-4), pp. 290. Uytenhove's reform tract was intended for Charles the Bold.

cell it penetrated into the pulpit and occupied the chairs of bishops. Thus the Italy of the fifteenth century can point to popular preachers such as Bernardine of Siena, John of Capestrano, Bernardino of Feltre, Giacomo della Marca, all of them Franciscans; to Leonard of Udine, a Dominican; to bishops such as Antonino of Florence and Antonio Bertini of Foligno, a Jesuate; to cardinals such as the Carthusian Niccolò Albergati, the Hermit of St Augustine, Alessandro of Sassoferrato, the Camaldolese Maffeo Gerardi. Many more names might be added to this list.

In the person of Savonarola the reform of the orders sailed into political waters and foundered in them. Nevertheless we know what a rich harvest the deep spirituality and the stern asceticism of the Florentine prophet yielded among the Spanish Dominicans and thereby prepared the ground for the flowering of the classical Dominican theology of the sixteenth century.<sup>1</sup>

In the person of Ximenes, an observant, the Franciscan Order produced a great reformer of the Spanish Church, a man in whom ascetic rigour was matched with a profound understanding of what was required for a renewal of the Church. His foundation, the University of Alcalá, became a centre of modern humanistic and ecclesiastical studies and was only eclipsed by the great theologians of Salamanca. By the side of Ximenes, the large-scale organiser, stands that apostolic man Talavera, the first Archbishop of Granada, a Hieronymite and sometime confessor to Queen Isabella. When already an archbishop he took up the study of Arabic to enable him to convert the Moors of his diocese.<sup>2</sup>

Germany does not exhibit personalities of the stature of either Ximenes or Talavera. The Church of the Empire admitted no religious into the ranks of its prince-bishops. But in Germany also members of the orders were busy as preachers and writers of religious books. Thus the Minorite Dietrich Coelde made a splendid contribution to the religious formation of the people by his *Christenspiegel* (*Mirror of the Christian*) which went through thirty-four editions. His sermons were for north-west Germany what those of his fellow Franciscan Capestrano were for the north-east.<sup>3</sup> Thomas Murner's activity in the region of the

<sup>1</sup> V. Beltrán de Heredia, *Historia de la reforma de la provincia de España 1450-1550* (Rome 1939), pp. 78 ff., brings out the negative side; *id.*, *Las corrientes de espiritualidad entre los Dominicos de Castilla durante la prima mitad del siglo XVI* (Salamanca 1941), pp. 6 ff., in which he elaborates the positive aspect of this influence.

<sup>2</sup> M. Bataillon, *Erasme en Espagne*, pp. 62 ff., 366.

<sup>3</sup> *H.ŷ.*, xii (1891), p. 59.

Upper Rhine falls partly in the period of the religious disruption.<sup>1</sup> How widespread was the preaching activity of the Dominican Nigir may be gathered from his itinerary for the years 1508-11.<sup>2</sup> Of the works of edification and instruction of Johann Nider, a leading figure of the Dominican Order, we have no less than seventy-five *incunabula*: seventeen of them being editions of his explanation of the Creed.<sup>3</sup> Members of religious orders were usually chosen to deliver the inaugural sermon at synods and they acted as confessors and spiritual advisers to princes. Gabriel Biel, the counsellor of Eberhard, Duke of Württemberg, and one of the most highly esteemed German theologians of the end of the fifteenth century, was a Brother of the Common Life. Frederick the Wise of Saxony had for a counsellor Johann Staupitz, Vicar General of the German province of the Augustinians.

In France, the vitality of the Church asserted itself with fresh vigour as soon as the Hundred Years' War came to an end. This renewal was greatly furthered by the activities of that powerful preacher of penance Olivier Maillard, a Minorite, and by those of Francis of Paula, founder of the Friars Minim whom the aging King Louis XI had invited to France. The old monastic orders also took their share in the efforts for the reform of the Church in France which had been initiated at the beginning of the reign of Charles VIII. At the assembly of the clergy which the King convened at Tours in 1493, the Abbots of Marmoutiers and Cîteaux and the Augustinian Hacqueville played an outstanding role. But the most influential of them all was the Fleming Standonck, of the Congregation of Windesheim, who reformed a number of monasteries of canons, among them the ancient and celebrated one of Saint-Victor. At one time there was question of his being made Archbishop of Rheims. The *Rosetum*, a work of his assistant Jean Mombaer, was to influence Cisneros at a later date.<sup>4</sup>

Only one order could boast of having always remained true to its ideal: *Carthusia nunquam reformata, quia nunquam deformata*. By its very remoteness from the world the Charterhouse seemed to attract the world all the more powerfully. Thus, during his term of office as Prior of Gaming in Lower Austria, from 1451 to 1458, Nicholas Kempf of

<sup>1</sup> F. Landmann, "Thomas Murner als Prediger", in *Archiv für elsässische Kirchengeschichte*, x (1935), pp. 295-368.

<sup>2</sup> P. Landmann, *Das Predigtwesen in Westfalen* (Münster 1900), pp. 22 ff.

<sup>3</sup> Hain, Nos. 11780-854.

<sup>4</sup> Imbart de la Tour, *Origines*, vol. II, pp. 486 ff.; A. Renaudet, *Préréforme et Humanisme à Paris* (Paris 1916), pp. 208 ff.; P. Debongnie, *Jean Mombaer de Bruxelles, Abbé de Ligny, et ses réformes* (Louvain 1928), pp. 87 ff., 292 ff.

Strasbourg, sometime professor of philosophy at Vienna, admitted no less than five masters and seven bachelors to the habit of St Bruno.<sup>1</sup> The prayers of Ludolph of Saxony were probably used by more people in the fifteenth century than was *The Imitation of Christ*, and his *Vita Christi* stood on the shelves of a knight bearing the name of Iñigo de Loyola.<sup>2</sup> Adolph of Essen (d. 1439) and Dominic of Prussia (d. 1460), both of them priors of the Charterhouse of Trier, introduced the Meditation of the Passion into the traditional "Psalter of Our Lady". Jacob of Jüterbog (d. 1465), a prolific writer, won for himself a distinguished place in the literature of reform. However, from the point of view of productivity, Denis Rickel surpasses them all with his numerous moral and ascetic treatises.

Even the Carthusian Order was involved to some extent in the transition from contemplation to the apostolate which is characteristic of the new epoch in the history of the Church.<sup>3</sup> In the person of John Rode it provided a leader for the monastic reform in south-west Germany. Gregory Reisch of Freiburg and John Heynlin of Basle knew how to combine the austerity of the Charterhouse with a sympathetic understanding for the new learning, so much so that in 1523 Johann Eck pressed the Pope to attach the former to the legate who was about to be appointed for Germany, in the capacity of adviser on matters connected with reform.<sup>4</sup> Under Prior Peter Blommeveen (1509-36), and through the mystical writings of John Justus Landsberg (d. 1539), the Charterhouse of Cologne became a nursery of piety for the entire region of the Lower Rhine.<sup>5</sup> Blommeveen had been through the spiritual school of the Minorite Herp, who had been Superior of the Brethren of Delft before he joined the Franciscans. In this way the Carthusian Order recovered what it had bestowed on the *devotio moderna*. Henry of Kalkar, Prior of the Charterhouse of Cologne, had a share in the conversion of Geert Groote. Of this devout man, who never became a priest, Thomas à Kempis writes: "*Docuit sancte vivendo.*" After many years of tireless activity as a mission preacher, his bishop enjoined silence on him. He obeyed the command to the day of his death in

<sup>1</sup> N. Paulus in *Archiv für elsässische Kirchengeschichte*, III (1928), p. 26. The alleged influence on Ignatius is denied by P. Leturia, *El gentilhomme Iñigo de Loyola en sua patria y en su siglo* (Montevideo 1938), p. 191.

<sup>2</sup> N. Paulus, "Der Strassburger Kartäuser Ludolf von Sachsen", in *Archiv für elsässische Kirchengeschichte*, II (1927), pp. 207-22.

<sup>3</sup> Lortz, *Die Reformation in Deutschland* (Freiburg i.B. 1941), vol. II, p. 133.

<sup>4</sup> *Beiträge zur bayrischen Kirchengeschichte*, II (1896), p. 238.

<sup>5</sup> J. Greven, *Die Kölner Kartause und die Anfänge der Kath. Reform in Deutschland* (Münster 1935), pp. 7 ff., 12 ff.

1384.<sup>1</sup> By his simple spirituality Geert Groote started a movement of such depth and strength that Johann Busch likened it to the marvels of primitive Christianity.<sup>2</sup> He drew up no reform programme and founded no order, but the two religious societies which claimed him as their originator, viz. the Canons of St Augustine of Windesheim and the Brethren of the Common Life, kept his spirit alive. *The Imitation of Christ* is the most exquisite fruit of that spirit.

The *devotio moderna* meant personal reform through a return to Christian inwardness. As a free movement it was not limited, as were the monastic reforms, to a corporation already in existence and regulated by law, nor was it burdened by any traditions; hence it was able to develop in every direction; but it cannot be said that it exhibited any novel features<sup>3</sup>: the only new thing about it was the earnestness with which it strove for the unchanging goal—the following of Christ. It would be a serious error of judgment to see in this world-forsaking piety a symptom of weariness, or to interpret its abandonment of technical theology as undogmatic Christianity.<sup>4</sup> It was a pause for breath in preparation for further exertions. Like all genuine religious movements it issued in active work. Groote himself had been a missionary. Throughout north and west Germany, by their writings and by their schools, the Brethren of Deventer and Zwolle were engaged in the apostolate of the spoken and the printed word, and, best of all, that of example. There was a pronounced “lay” touch in the “devout” movement. By a remarkable coincidence similar symptoms appeared also in the southern half of Europe. The laity began to reform itself.

<sup>1</sup> The best summing up in R. Post, *De moderne devotie* (Amsterdam 1940); also F. v. d. Borne, “Geert Groote en de moderne devotie in de geschiedenis van het middeleeuwse ordewezen”, in *Studia catholica*, xvi (1940), pp. 397-414; xvii (1941), pp. 120-33, 197-209; xviii (1942), pp. 19-40, 203-24; the dissertation of I. G. I. Tiecke, *De werken van G. Groote* (Nijmegen 1941), and M. H. Mulders, *G. Groote en het Huwelijk* (Nijmegen 1941); H. Nottarp, “Die Brüder vom gemeinsamen Leben”, in *Z.Sav.R.G.K.A.*, xxxii (1943), pp. 384-418; H. Radermacher, *Mystik und Humanismus der Devotio moderna in den Predigten und Traktaten des Joh. Veghe* (Hiltrup 1935); D. Kalverkamp, *Die Vollkommenheitslehre des Franziskaners H. Herp* (Werl 1940).

<sup>2</sup> *Des Augustinerpropstes Joh. Busch Chronicon Windeshemense* (Halle 1886), p. 245.

<sup>3</sup> Post, *De moderne devotie*, p. 136 ff.

<sup>4</sup> Thus R. Stadelmann, *Vom Geist des ausgehenden Mittelalters* (Halle 1929). The attempt of the Dominican Matthew Grabow to prove that the observance of the evangelical counsels as practised by the Brethren of the Common Life was sinful because it was practised outside any of the approved orders, ended with the condemnation of seventeen propositions of his pamphlet (26 May 1419); see S. Wachter, *Festschrift zum 50 jährigen Bestandsjubiläum des Missionshauses St Gabriel* (Wien-Mödling 1939), pp. 289-376.



Two groups, whose origin dates from the fourteenth century, consolidated themselves into religious orders; they were the Hieronymites in Spain and Colombini's Jesuates in Italy. A third group, which only took definite shape at the turn of the fifteenth century, was content to remain a confraternity: this was the Oratory of Divine Love. It became the most famous of them all, and its rise is usually regarded as the beginning of the Catholic reformation.

The Oratory's fundamental principle is that personal sanctification must be achieved by means of good works on behalf of others. Its aim is not so much activity born of holiness as the formation of saints through charitable activity. The charitable confraternities established in various parts of Italy were both a preparation for and a concomitant symptom of the Oratory: such was the Oratory of St Jerome, founded in 1494 at Vicenza by Bernardino of Feltre. Its object was the practice of piety and the care of the poor. Its members, seventy at most, belonged for the most part to the upper classes.<sup>1</sup> Shortly before the year 1500, Ettore Vernazza, a layman, inspired by the Genoese mystic St Catherine founded the first Oratory of Divine Love in his native city.<sup>2</sup> Its aim was personal sanctification and the practice of charity; only a restricted number of priests were admitted. At a date which it is not possible to ascertain, Vernazza transferred his institution to Rome. Before long it counted among its members several high officials of the Curia. The aims of the confraternity remained the same as at Genoa.

The Oratory gave birth to the Order of the Theatines. Its founder, Cajetan of Thiene, had at first followed a diplomatic career in the Curia. At a later date he devoted himself to the service of the sick at Vicenza and Verona. Only in his riper years did he understand that his real vocation was the foundation of a community of priests who would be a pattern of the priestly life and activity. The society received papal approbation in 1524.<sup>3</sup>

The influence of the Oratory and that of the Theatines upon the

<sup>1</sup> P. Paschini, *La beneficenza in Italia e le Compagnie del divino amore nei primi decenni del Cinquecento* (Rome 1925), pp. 6 ff.; a reprint in *Tre ricerche sulla storia della Chiesa nel Cinquecento* (Rome 1945), pp. 3-88.

<sup>2</sup> In addition to Paschini, see A. Bianconi, *L'opera delle Compagnie del Divino amore nella riforma cattolica* (Città di Castello 1914), pp. 33 ff.; the Genoa statutes in P. Tacchi Venturi, *Storia della Compagnia di Gesù in Italia* (Rome 1910), vol. I, pp. 423 ff. The recently published list of the members of the Roman Oratory (1517-24) by A. Cistellini, *Figure della riforma pretridentina* (Brescia 1948), p. 288, confirms my opinion. Giberti and Sadoletto are not mentioned in the list.

<sup>3</sup> P. Paschini, *S. Gaetano Thiene, G. P. Carafa e le origine dei Chierici Regolari Theatini* (Rome 1926). E. Lovatelli's *S. Gaetano e gli inizi della riforma cattolica* (Milan 1941) is a popular compilation of no special value.

rise of the Catholic reformation has been undoubtedly exaggerated in recent years. These institutions were only like a rivulet which eventually becomes a stream through the affluents that bring it their tribute. Soon after the turn of the century, at Venice, Thomas Giustiniani gathered around him a number of like-minded young men of the best families of the city, men of excellent intellectual formation and all of them resolved to take Christianity seriously. For a time they lived communally on the island of Murano, but they never coagulated into a confraternity or a new order. Giustiniani, Sebastiano Giorgi and the highly gifted Quirini, who had served the Republic as an able ambassador, joined the Camaldolese and started a reform of an order which had become still more worldly during the generalate of Pietro Delfino. Their friends Niccolò Tiepolo and Gaspar Contarini remained in the world; we shall meet the former at the Diet of Augsburg of 1530; the latter was raised to the purple and became Paul III's right-hand man in the reform of the Church. All the members of the circle were laymen with the exception of the humanist Egnazio, and none of them held a benefice. Their conduct was a silent protest against the worldliness of the hierarchy, but their loyalty to the Church remained unshaken.<sup>1</sup>

Also of lay origin was the establishment of the Somaschi whose founder, Jerome Emiliani, was a soldier who became an apostle of charity, and that of the Barnabites, whose activity consisted in preaching popular missions. Of their three founders, one (Antonio Maria Zaccaria) had been a physician, another (Ferrari) a lawyer, and the third (Morigia) an elegant courtier.<sup>2</sup> The origin of these orders falls in a later period, but they are the ripe fruit of tendencies which had long been at work—viz. the impetus of the laity towards personal sanctification and apostolic activity. In view of these endeavours for a spiritual renewal in the regular clergy and the laity, the question arises whether similar essays of personal reform took place in the ranks of the secular clergy, in the dioceses and the parishes?

It must be stated emphatically: such attempts were made, but they do not catch the eye as do the reform of the orders or the foundation of new ones, and there are many gaps in their history, the study of which has been very much neglected. But even in the present state of our

<sup>1</sup> Part of the correspondence in J. B. Mittarelli-A. Costadini, *Annales Camaldulenses*, VOL. IX (Venice 1773), pp. 446-559. I intend to publish Contarini's letters in *Archivio per la storia della pietà*.

<sup>2</sup> O. Premoli, *Storia dei Barnabiti nel Cinquecento* (Rome 1913), pp. 2 ff.; *id.*, *Le lettere e lo spirito religioso di S. Antonio M. Zaccaria* (Rome 1909), but only starting in the year 1530.

information, this much may be said: in every country bishops and priests were found who, by means of visitations and synods, by the spoken and the written word, but above all by their personal example, did their utmost to improve conditions in their respective spheres. Among the Italian bishops of the fifteenth century who are justly renowned for their pastoral zeal and their visitations and synods, mention must be made of Lorenzo Giustiniani, Patriarch of Venice, Archbishop Antonino of Florence, and Antonio Bertini, Bishop of Foligno. A worthy contemporary of theirs was Pietro Barozzi, a balanced character, who reformed his dioceses of Belluno and Padua by means of excellent statutes and who personally preached the word of God; such was his whole conduct that to so keen an observer as Contarini he appeared as a pattern of all that a good bishop should be.<sup>1</sup> Other personalities will come forward when, ultimately, the acts of visitations,<sup>2</sup> and the synodal decrees<sup>3</sup> and other documents relating to diocesan administration and the organisation of the parochial system, now buried in the archives, have been thoroughly explored. It is evident that an orderly cure of souls cannot have been entirely neglected; else popular piety would have become so anaemic that the revival which began in the fifteen-thirties would have been unthinkable.<sup>4</sup>

Similar considerations impose themselves with regard to the Church in France. In the diocese of Paris it might happen that if the absentee parish priest failed to provide a substitute the people of the village would get one for themselves and provide for his support out of the proceeds of the tithe.<sup>5</sup> This was self-help indeed, canonically indefensible, but perfectly natural when a religious people was determined

<sup>1</sup> A biography of Barozzi, which is greatly needed, is still wanting; particulars for an appreciation of his personality are supplied by J. Schnitzer, *Peter Delfin* (Munich 1926), pp. 33 ff., 329 ff.; for his Paduan Constitutions, see F. Scipione, *Dissertazione IX sopra l'Historia ecclesiastica di Padova* (Padua 1817), pp. 119-30.

<sup>2</sup> On this task which remains yet to be performed see my study: "Ciò che la storia del Concilio si attende dalla storia ecclesiastica italiana", in *Il Concilio di Trento*, II (1943), pp. 163-75; a sample of ancient Visitation Acts in P. de Angelis, "Un frammento di Sacra visita della diocesi Spoletana", in *Archivio per la storia ecclesiastica dell' Umbria*, III (1916), pp. 446-539.

<sup>3</sup> One instance may be quoted, viz. Carafa's Constitutions for Chieti, published by E. Carusi in "Convegno storico abruzzese-molisano 1931", in *Atti e Memorie*, III (Casalbordino 1940), pp. 917-34.

<sup>4</sup> To the pertinent passages in Pastor and Tacchi Venturi must be added P. Paschini, *Noterelle eucaristiche per la vita religiosa italiana nel primo Rinascimento* (Rome 1936); F. Chabod, *Per la storia religiosa dello Stato di Milano durante il dominio di Carlo V* (Bologna 1938), pp. 44 ff.

<sup>5</sup> J. M. Alliot, *Visites archidiaconales de Josas* (Paris 1902); Ch. Petit Dutailis, "Un nouveau document sur l'Eglise de France", in *R.H.*, LXXXVIII (1905), pp. 296-315.

to remain so and the ecclesiastical authorities failed to do their duty, With greater enthusiasm than ever, after the termination of the Hundred Years' War, the French nation resumed the construction of its cathedrals. the adornment of its parish churches and the erection of new ones.<sup>1</sup> The clergy grew in numbers; thus in the period between 1445 and 1514 the diocese of Séz quadrupled the number of its clergy. The provincial synod of Sens of 1485 led to the revival of diocesan synods at Chartres, Langres, Nantes and Troyes. A number of bishops concerned themselves personally with the reform of the monasteries as, for instance, Poncher of Paris.<sup>2</sup> François d'Estraing, Bishop of Rodez (1504-29), saw to the instruction of the people and the formation of his clergy, reformed his chapter and carried out the visitation of his diocese. During the epidemics that ravaged it he gave an example of the most admirable charity.<sup>3</sup> At the Convention of Tours in 1493, Standonck unfolded a comprehensive scheme for the reform of the secular clergy. He sought to remedy the worst abuses in the choice of bishops, the granting of benefices with the cure of souls attached to them, the administration of the sacraments and the ministry of preaching, and promised himself great results from the revival of provincial and diocesan synods.<sup>4</sup> However, after the year 1500 these efforts began to languish. Cardinal d'Amboise, papal legate in France, brought the reform into discredit by the use of physical coercion and its progress was arrested. Flowers do not bloom in the shadow of ecclesiastical dictatorship.

A similar phenomenon is observable in England a little later. It was inevitable that the Church should suffer from the effects of the Wars of the Roses. Nevertheless, the visitations in the diocese of Norwich in 1492 and 1514 brought to light no gross disorders in most of the parishes and religious houses.<sup>5</sup> Churchwardens' accounts and other sources present a favourable picture of the people's attitude towards religion. They contributed gladly and liberally to the construction and embellishment of their churches. In many parishes the church

<sup>1</sup> Imbart de la Tour, *Origines*, VOL. II, pp. 535 ff.; Renaudet, *Préréforme et humanisme à Paris*, pp. 160 ff.

<sup>2</sup> Renaudet, *Préréforme et humanisme à Paris*, p. 353.

<sup>3</sup> C. Belmont, *Le bienheureux François d'Estraing, évêque de Rodez* (Rodez 1924).

<sup>4</sup> M. Godet, "Consultations de Tours sur la réforme de l'Eglise de France", in *R.H.E.*, II (1911), pp. 175 ff., 333 ff.; Renaudet, *Préréforme et humanisme à Paris*, pp. 178 ff.

<sup>5</sup> A. Jessop, *Visitations of the diocese of Norwich 1492-1532* (London 1888): conditions in Southwell Minster are less satisfactory; *Visitations and Memorials of Southwell Minster*, ed. A. F. Leach (London 1891).

building was the focus of parochial life. The small parish of St Dunstan at Canterbury numbered no more than four hundred souls, yet it boasted a library of fifty volumes. From the people's attachment to the Church we may infer that neither the bishops nor the parochial clergy failed entirely in their duty.<sup>1</sup> On the other hand no perceptible impetus seems to have been given by the synods.<sup>2</sup> In the same way the collection of the provincial statutes of York ordered by Cardinal Wolsey made no appreciable impression.<sup>3</sup> The ecclesiastical dictatorship which that masterful personality exercised over the Church in England after his appointment as papal legate in 1518 did as little for a reform in England as that of d'Amboise in France.

It was in the German hierarchy, more than in any other, that the personal reform encountered the greatest psychological obstacles. The princely rank of the bishops of the Empire tended to divert them from their spiritual duties while the mediatised prelates were far too prone to regard themselves solely as territorial lords. For all that, the fifteenth century produced in Germany particularly a remarkable number of excellent bishops. At the time of the Council of Basle, Nider knew of only three bishops who gave the lie to the universal complaint about the worldliness of the hierarchy, viz. Frederick of Bamberg, Erhard (or Eckhard) of Worms, and Sebastian of Trent.<sup>4</sup> We are now in a position to add many more names to this list: for instance, that of the learned Bishop of Brandenburg, Stephen Bodeker, who promulgated an ordinance for his diocese at the synod of 1435, revised the Breviary and fostered the religious instruction of the people by means of solid treatises on the Creed, the Decalogue and the Lord's Prayer.<sup>5</sup> To him we may add Baldwin, Archbishop of Bremen, who declined the assistance of an auxiliary because he wished to carry out in person all episcopal functions.

These reforming bishops were followed by others in the second half of the fifteenth century. Of the Bishop of Constance, Heinrich von

<sup>1</sup> F. A. Gasquet, *The Eve of the Reformation* (London 1900), pp. 323 ff.

<sup>2</sup> We know of the following provincial synods: Canterbury 1487, York 1489 and 1497, St Andrews 1487. Hefele-Hergenröther, *Conziliengeschichte*, VOL. VIII, pp. 285 ff., 369.

<sup>3</sup> Wilkins, *Concilia Magnae Britanniae et Hiberniae*, VOL. III (London 1737), pp. 662 ff.

<sup>4</sup> *Formicarius*, VOL. I, p. 6. To guard against any misunderstanding, I wish to state that it is not the purpose of the following observations to sum up the oft-discussed problem of the "causes of the Reformation", or the religious situation in Germany on the eve of the Reformation; hence I do not mention the surveys of W. Andreas and K. Eder and still less the immense literature on the subject.

<sup>5</sup> K. H. Schäfer, *Märkisches Bildungswesen vor der Reformation* (Berlin 1928), pp. 29 ff.

Hewen (1436-62), it has been said that "inspired by an exemplary priestly zeal he strove with unswerving perseverance for the one object—the reform of his diocese in its head and its members".<sup>1</sup> Heinrich was even surpassed by his successor, Burkhard von Randegg, a man of a truly apostolic character. A contemporary of these two prelates, Matthias Ramung, Bishop of Speyer (1463-78), is regarded as the "regenerator of his cathedral chapter". He was the first German bishop to instruct parish priests to draw up a register of their parishioners.<sup>2</sup> Bishop Wedego of Havelberg's (1460-78) directions for the examination of candidates for holy orders are inspired by the same principles as those that prompted the subsequent Tridentine legislation.<sup>3</sup> Frederick von Zollern, Bishop of Augsburg (1486-1505), a pupil of the celebrated popular preacher Geiler von Kaisersberg, was as conscious of a bishop's duty to preach the word of God as any prelate of the Tridentine epoch. He revised the liturgical books of his diocese and invited the first printers to Augsburg.<sup>4</sup> The synodal allocution of his next successor but one, Christoph von Stadion (1517-43), is filled with the spirit of the *devotio moderna*. His diocesan visitation in 1518, and two further diocesan synods held by him in 1520 and 1536, belong to the period of the religious disruption. Of the Bishop of Würzburg, Schenk von Limburg (1443-55), a scholar of our own days says that he opened every door to reform.<sup>5</sup> His second successor, Rudolph von Scherenberg (1466-95), completed the reform which was "the ultimate aim of every measure taken by him". Bishop John of Meissen (1487-1518) is regarded as "one of the most active and conscientious bishops" of this Saxon diocese.<sup>6</sup>

These examples must suffice. The frequency of synodal assemblies in Germany more than in other parts of Christendom is surely a good symptom. Nearly all the above-named bishops held synods. For

<sup>1</sup> A. Braun, *Der Klerus des Bistums Konstanz im Ausgang des Mittelalters* (Münster 1938), pp. 172, 174.

<sup>2</sup> *Collectio processuum synodaliū et constitutionum ecclesiasticarum dioecesis Spirensis*, VOL. I (1786), p. 117.

<sup>3</sup> A. F. Riedel, *Codex dipl. Brandenburgensis* (Berlin 1838-58), A III, pp. 254 ff.

<sup>4</sup> P. Braun, *Geschichte des Bistums Augsburg*, VOL. III (Augsburg 1814), pp. 89-151; for Stadion, *ibid.*, pp. 178-357. Th. Dreher, *Das Tagebuch über Friedrich von Hohenzollern, Bischof von Augsburg 1486-1505* (Sigmaringen 1888), pp. 80 ff. (Synod of 1486), pp. 155, 162; (Visitations), pp. 191 ff., 209 ff. More will be said about Stadion in Book II.

<sup>5</sup> See Freiherr von Pölnitz, *Die bischöfliche Reformarbeit im Hochstift Würzburg während des 15. Jahrhunderts* (Würzburg 1941), p. 121.

<sup>6</sup> E. Machatschek, *Die Geschichte der Bischöfe des Hochstifts Meissen* (Dresden 1884), p. 610.

Cologne alone we have evidence of no less than fifteen diocesan synods during the rule of Hermann von Hessen and Philip von Oberstein (1480-1515); it would even seem that two such assemblies were held every year.<sup>1</sup> The provincial synod of Salzburg in 1512 formally adopted the principle of self-reform.<sup>2</sup> There can be no doubt that more reforming went on in Germany than anywhere else. That things eventually took a very different turn was not due to the fact that the pastoral ministry was more neglected, the clergy worse behaved, or the people more ignorant of their religion, or more indifferent to it, than in other countries. It was due to the fact that the laity, the urban burghers and the intellectuals who were beginning to constitute an estate by themselves, expected more from their priests and were more keenly sensitive to the contrast between the ideal and the real in their lives. They were determined to make a radical clearance of abuses—real or imaginary ones—on their own initiative, instead of resigning themselves, with a shrug of the shoulder, to prevailing conditions as something that could not be altered. Most of the tensions within the German Church, between the higher and the lower clergy, between seculars and regulars, between clergy and laity, between the secular and the spiritual authority—tensions which, in point of fact, were in part caused by social conditions—were also felt in other countries, in a greater or less degree, but only in Germany, after 1520, did people imagine they could endure them no longer; in this way the reform became a revolution. A circumstance of another kind proved a decisive factor in the course of the revolution. This was that the bishops' initiative for a reform was paralleled by one publicly advocated by the secular princes.<sup>3</sup> The German territorial princes promoted a reform of the Church in sundry ways. In itself it was gratifying that the Margrave Frederick II of Brandenburg should assist the monastic reformer Johann Busch and should be ready to lend a hand whenever there was question of putting an end to some of the worst abuses,<sup>4</sup> or that the Counts Palatine on the

<sup>1</sup> F. Gescher, "Die Kölner Diözesansynoden am Vorabend der Reformation", in *Z.Sav.R.G.K.A.*, xxi (1932), pp. 190-288, especially p. 220.

<sup>2</sup> *Concilia Salisburgensia*, ed. Dalham (Augsburg 1788), pp. 279 ff.: "Primum in se ipsis ea emendantes quae sacris canonibus obviare noscuntur."

<sup>3</sup> J. Hashagen, *Staat und Kirche vor der Reformation* (Essen 1931), and the reviews by H. Finke in *H.J.*, LI (1931), pp. 219 ff., and that of J. Fincke in *A.K.R.*, xi (1931), pp. 685 ff. A good survey of the literature in W. Dersch, "Territorium, Stadt und Kirche im ausgehenden Mittelalter", in *Korrespondenzblatt des Gesamtvereins der deutschen Geschichts- und Altertumsvereine*, LXXX (1932) pp. 31-51.

<sup>4</sup> F. Priebatsch, "Staat und Kirche in der Mark Brandenburg am Ende des Mittelalters", in *Z.K.G.*, xix (1899), pp. 397-430.

Rhine should set great store by a regular discharge of their duties by the pastoral clergy.<sup>1</sup> Often enough the secular arm alone was in a position to break the resistance of depraved elements. For all that, the reforming activities of the secular authorities could not but inspire serious misgivings. The secular princes' concern for the reform of the monasteries within their territories was not invariably prompted by zeal for discipline and piety. All too often the inspiration came from a fiscal interest in the taxability of monastic property. At times the real need of a reform of the secular clergy provided a welcome pretext for the extension of the princes' influence upon the Church, from the nomination of bishops down to the appointment of parish priests. Their example was followed by the big towns, which sought to arrogate to themselves the patronage of their parish churches and other minor benefices, as well as the administration of schools and charitable bequests.<sup>2</sup> As a rule, from a purely formal standpoint everything was in order. In 1485 the Saxon Dukes Ernest and Albrecht had been empowered to reform the monasteries by Innocent VIII,<sup>3</sup> and in 1491 the Cardinal-legate Peraudi authorised the Margrave John of Brandenburg to have the monasteries of his territory visited by its three bishops. However, the participation of counsellors appointed by the princes in the visitation of the monasteries of the Duchies of Cleves and Saxony, their interference with the inner life of many monasteries—to the extent of ordering the divine office—and the supervision by lay officials of the beneficed clergy of the Palatinate in respect of the duty of residence, may have been well meant; nevertheless, these actions were extremely questionable inasmuch as they made the ecclesiastical life far too dependent on the state, entailed endless disputes with the bishops over questions of jurisdiction, and thus paved the way for that subjection of the Church to temporal sovereigns which was to come in with Protestantism. People got used to the notion that Church reform was the business of the temporal sovereign.

What the territorial princes of Germany did on a small scale was carried out in the grand manner by the western national states. We

<sup>1</sup> R. Lossen, *Staat und Kirche in der Pfalz im Ausgang des Mittelalters* (Munich 1907), pp. 125 ff. Of the Dominican Province of Saxony G. Löhr says that progress was only reported in those places where the secular or the ecclesiastical princes intervened; *A.F.P.*, VIII (1938), p. 215.

<sup>2</sup> The following are basic works: A. Schultz, *Staatsgemeinde und Kirche im Mittelalter* (Munich-Leipzig 1914); K. Fröhlich, "Kirche und Städtisches Verfassungsleben im Mittelalter" in *Z.Sav.R.G.K.A.*, XXII (1933), pp. 188-287.

<sup>3</sup> F. Gess, *Akten und Briefe zur Kirchenpolitik Herzog Georgs von Sachsen*, vol. I (Leipzig 1905), p. xxxvii.



have already mentioned Charles VIII's attempts to promote a reform within the Church, and we know that Louis XI favoured the Observants.<sup>1</sup> Yet on the whole it cannot be said that the French Kings used the great influence on the Church which they enjoyed *de facto* by the terms of the Pragmatic Sanction and still more by those of the concordat of 1516, to further Church reform. Nor had the Church anything to gain from the pretensions of the *parlements*, particularly that of Paris, to decide disputes over benefices, to confirm monastic reforms and synodal statutes and in other ways also to supervise ecclesiastical affairs.<sup>2</sup>

The Spanish Kings alone made a large-scale and successful contribution to the reform of the Church within their domains. In this task they were assisted by the circumstance that as a result of the century-old crusade for the peninsula's deliverance from the yoke of Islam religious and national ideals had become closely interwoven in the popular consciousness. Moreover, in the fifteenth century and at the beginning of the sixteenth, Spain produced a number of able monastic reformers and prudent and energetic bishops; men like Pablo and his son Alfonso of Burgos, of Jewish descent,<sup>3</sup> Pedro González de Mendoza, "the Great Cardinal", as he has been surnamed, whose predecessor at Toledo was Alonso de Carillo, while at Seville he was succeeded by Diego Hurtado de Mendoza and the Grand Inquisitor Deza, both of whom have left provincial statutes.<sup>4</sup> Over all these towers the figure of Ximenes de Cisneros of Toledo.<sup>5</sup> The acts of the national council of Seville in 1478 make it perfectly clear that the bishops did not look on themselves as the slaves of the Crown.<sup>6</sup> Crown and hierarchy were indeed agreed upon certain fundamental lines of reform, such as the strengthening of episcopal authority against exempt clergy, opposition

<sup>1</sup> See above, p. 149, n. 4. P. Gratien, "Un épisode de la réforme catholique avant Luther", in *Etudes Franciscaines*, xxvii (1912), pp. 605-21; xxviii, pp. 272-90, 504-16.

<sup>2</sup> Imbart de la Tour, *Origines*, vol. II, pp. 84 ff., 213 ff.; E. Maugis, *Histoire du Parlement de Paris*, vol. I (Paris 1913), pp. 704 ff.

<sup>3</sup> L. Serrano, *Los conversos Don Pablo de Santa Maria y Don Alfonso de Cartagena, obispos de Burgos* (Madrid 1942). The history of the ecclesiastical movement of reform in Spain which P. Leturia demanded long ago (see *Estudios eclesiásticos*, viii (1929), pp. 97-114) is not yet written; it probably still needs a good deal of preparatory work.

<sup>4</sup> Mansi, vol. xxxii, pp. 571-650. For Toledo, see C. Sánchez Aliseda, "Precedentes Toledanos de la Reforma Tridentina", in *Revista Española de Derecho Canónico*, 1948, separately printed.

<sup>5</sup> L. F. de Retana, *Cisneros y su siglo*, vol. I (Madrid 1929), pp. 174 ff., 265 ff., 560 ff.

<sup>6</sup> F. Fita, "Concilios españoles inéditos", in *Buletino de la Real Academia de Historia*, xxii (1893), pp. 209-57; text of the acts, pp. 215-50.

to the nomination of foreigners to Spanish benefices, the duty of residence—but all the while the bishops fought valiantly for the freedom of the Church and would not hear of any interference with the rights of papal supremacy. The Church retained the initiative while the State assisted her and lent its arm whenever the need arose. The State secured for itself the right of nomination to episcopal sees and, consequently, a decisive influence on the hierarchy's policy, and it established the ecclesiastical Inquisition for its own security. At the time of the Lateran Council, the State saw to it that the national aspirations for reform were formulated at a conference so that they could be submitted collectively.<sup>1</sup> There can be no doubt that it was due to this collaboration of King and clergy that a generation later the Spanish Church was able to take the lead in the restoration movement.

From the turn of the century ecclesiastical reform had been caught in a spiritual current whose origin was not in the religious sphere but in the cultural one: we know it under the name of humanism.

A religious reform in the spirit of a baptised Plato, or, to speak more accurately, in the spirit of the Neoplatonic philosophy, had already been the dream of Marsilio Ficino. His "universalism" bore an apologetic character.<sup>2</sup> The Neoplatonic teaching about God and the soul, and the syncretistic theology of the late pre-Christian period, were pressed by him into the defence of Christianity against the new Averroism that was being taught in the chairs of Padua and Bologna. Ficino actually imagined that his Platonic theology would do for the formation of the clergy what later scholasticism had failed to achieve. In letters to Pope Sixtus IV and his nephew, Raffaele Riario, he urged them in glowing terms to initiate a reform. His friend the youthful, greatly admired Giovanni Pico became an adherent of Savonarola.<sup>3</sup>

<sup>1</sup> Döllinger, *Beiträge*, VOL. III, pp. 200 ff.; Hefele-Hergenröther, *Conziliengeschichte*, VOL. VIII, pp. 463 ff.

<sup>2</sup> This tendency of Ficino has been stressed (as against Saita, who sees in him an immanentist) by G. Anichini, *L'Umanesimo e il problema della salvezza in Marsilio Ficino* (Milan 1937); see also R. Montano, "Ficiniana", in *La Rinascita*, III (1940), pp. 71-104; this has not escaped W. Dress, *Die Mystik des Marsilio Ficino* (Berlin-Leipzig 1929), pp. 13 ff.; see my observations in *R.Q.*, XXXIX (1931), pp. 281-7. Ficino's letters to Sixtus IV and Riario are in the *Opera*, VOL. I (Basle 1576), pp. 795 ff., 808 ff.

<sup>3</sup> E. Garin, *Giovanni Pico della Mirandola* (Florence 1937), accounts for Savonarola's sympathy for Pico by "la sempre maggiore austerità di costumi, la profonda aderenza al valore eterno del cristianesimo". On Garin's book see the contemporary work of E. Anagnine, *Giovanni Pico della Mirandola, Sincretismo religioso-filosofico* (Bari 1937), and the editions of Pico's writings by B. Cicognani (1941) and E. Garin (1942). See also the reviews by P. Marucchi in *La Rinascita*, I, iii (1938), pp. 147-60; VI (1943), pp. 137-44.

For the real reform of the Church these rare aristocratic spirits were of small significance.<sup>1</sup> It was only when Colet came to study St Paul, and Pico's nephew Gianfrancesco realised the superiority of the Fathers over Plato and Cicero and Seripando renounced Platonism for St Augustine—in other words, when the Bible and Christian antiquity became the centre of interest for the humanists—that new perspectives opened out before the Church. The beginnings of humanism's interest in the Bible and the Fathers must be traced back to Ambrogio Traversari's work of translation and Lorenzo Valla's critique.<sup>2</sup> The influence of the Fathers is already perceptible in the treatment by the humanists of the fifteenth century of such a theme as human dignity.<sup>3</sup> But it was Erasmus of Rotterdam who pioneered the movement and with him it attained its full momentum.

Until quite recently both the person of Erasmus and the spiritual temper of which he is the prototype have been most diversely interpreted and at times severely condemned.<sup>4</sup> An unfavourable verdict is inevitable if we base our judgment mainly on his attitude towards the religious revolution and if from his many activities we single out those which have had destructive and disastrous results in the religious sphere. His personality and its impact on his time are so complex that they cannot be compressed into a single formula.<sup>5</sup> I myself must forgo a general appreciation of the man; my task is to consider what contribution he and those who shared his views made to the reform of the Church,

<sup>1</sup> I must make this reservation as against A. Corsano's statements, *Il pensiero religioso italiano dall' Umanesimo al Giurisdizionalismo* (Bari 1937), pp. 5-64. The influence of Florentine Platonism in the sphere of philosophy and literature, which was recently stressed by J. Festugière, E. Garin and P. O. Kristeller, the excellent editor of the *Supplementum Ficinianum*, is not affected thereby; see especially the latter's book *The Philosophy of Marsilio Ficino* (New York 1943).

<sup>2</sup> Traversari's letters to Francesco Barbaro and Leonardo Giustiniani in *Epistolae* (Florence 1759), pp. 283 ff., 311 ff.

<sup>3</sup> Garin, "La 'dignitas hominis' e la letteratura patristica", in *La Rinascita*, 1, iii (1938), pp. 102-46.

<sup>4</sup> In German Catholic literature the line starts with J. Kerber (*T.Q.*, xli (1859), pp. 531-66) and through Janssen goes on to Lortz, *Reformation in Deutschland*, vol. 1, pp. 127 ff. Godet in *D.Th.C.*, vol. v, pp. 388-97, is somewhat less critical, though on the whole his judgment is unfavourable. The Italian studies of V. Zabughin, *Il Cristianesimo durante il Rinascimento* (Milan 1924), and L. Borghi, *Umanesimo e concezione religiosa in Erasmo di Rotterdam* (Florence 1935), scarcely touch the ecclesiastical-political problem of Erasmus. K. Holl and G. Ritter go further in their rejection of Erasmus than any other Protestant writers.

<sup>5</sup> This is the chief merit, in my opinion, of J. Huizinga's biography, *Erasmus* (London and New York 1924). A quite objective appreciation of Erasmus is likewise found in K. A. Meissinger, *Erasmus von Rotterdam* (Zürich 1942, 2nd edn. Berlin 1948). See also R. Newald, *Erasmus Roterodamus* (Freiburg i.B. 1947).

without allowing myself to be swayed by the opinions of critics, whether old or new.

Erasmus belongs to the era of the *devotio moderna*, but he himself never was a “*devotus*”. By instinct a scholar and philologist, his one interest was culture, and culture for him was the culture of antiquity, crowned and perfected by Christianity.<sup>1</sup> Hence he does not stop at the writers of classical antiquity, but goes further. Work on the original text of Holy Scripture and on the works of ancient commentators—men still instinct with the ancient culture—opened for him the road to his ideal of culture, *eruditio* and *pietas*. The great sin is “barbarism”: religious culture produces the upright man. This culture is to be found in the “old and genuine theology”, in the Bible and the Fathers.<sup>2</sup> To open up these “sources” of Christianity by means of critical editions was Erasmus’s mission in life. His most important contribution to Biblical studies is his first edition of the Greek New Testament in 1516. “Meticulous work on the sacred text”, he wrote in his preface, “is justified by reverence for Him who is the eternal Word of the Father; its purpose is to lead the way back to the original source of God’s word instead of drawing it from conduits of stale water.”<sup>3</sup> In spite of numerous mistakes and imperfections, the work proved an enormous success: “I would not give my copy for two hundred florins”, wrote Gregory Reisch.<sup>4</sup> Valla’s *Annotations to the New Testament* and Lefèvre’s *Quintuplex psalterium* (1509), and his commentary on St Paul’s epistles (1512), had appeared before Erasmus’s work. The Complutensian Polyglot Bible (1514-17) coincided with it. The highest ambition of the intellectual élite of the time was to be able to read the Scriptures in the original Greek and Hebrew. For this purpose Vincenzo Quirini, while still a layman, had learnt both languages. From this time the *Collegium trinlingue* of Alcalá, and that of Louvain, provided splendid facilities for those whose ambition it was to become experts in Biblical studies. The new translations published by Lefèvre and Erasmus opened the contest round the Vulgate. As

<sup>1</sup> R. Pfeiffer, *Humanitas Erasmi* (Leipzig 1931), pp. 9 ff., and O. Schottenloher’s views in *Erasmus im Ringen um die humanistische Bildungsform* (Münster 1933), pp. 14, 18 ff., directed against P. Mestwerdt. As a matter of fact the whole problem of Erasmus is summed up in his own phrase “Not Martyrs but Doctors” discussed *ibid.*, p. 92.

<sup>2</sup> *Opus Epistolarum Des. Erasmi Roterodami*, ed. P. S. Allen, vol. 1 (Oxford 1906) p. 247. Erasmus to Colet, October 1499.

<sup>3</sup> Erasmus, *Epist.*, vol. II, pp. 164-72, 244, 257; A. Bludau, *Die beiden ersten Erasmusausgaben des NT und ihre Gegner* (Freiburg 1902), pp. 21 ff.

<sup>4</sup> Erasmus, *Epist.*, vol. II, p. 14.

early as 1514 Martin Dorpius had laid down for its defence the principles which were subsequently sanctioned by the Church in the Tridentine decrees on the Vulgate. The controversy about the Magdalen was a prelude to the higher criticism of the Bible. But the most important thing was the realisation that not only professional theologians but priests in the ministry equally needed to know the Scriptures. Giustiniani and Quirini proposed that no one should be ordained who had not read the whole Bible at least once.<sup>1</sup> The time was at hand when the greatest theologian of the period, Cardinal Cajetan, would apply himself, to begin with, to the writing of handy commentaries on the New Testament, because lectures on the Bible were being given not only at the universities, on the model of Colet's Oxford lectures on St Paul, but even before a wider public.

From his youth Erasmus had been an enthusiastic admirer of St Jerome in whom he saw the embodiment of his ideal of the cultured man—erudition combined with piety. St Jerome was the first Church Father whom he was determined to “recall to life” by a complete edition of his works. He worked at this edition at the same time as he was preparing his New Testament. In this field—patrology—others had gone before him.<sup>2</sup> Johann Amerbach, a printer of Basle, undertook to bring out a complete critical edition of the four great Western Fathers. In Johann Froben he found a congenial associate and an eventual successor. In 1506 the two men published the works of St Augustine in nine volumes. In the same year Johann Petri brought out the works of St Ambrose in three volumes. Paris vied with Basle with editions of Lactantius (1509), Cyprian (1512) and Gregory of Tours (1512). By slow degrees the Greek Fathers also began to appear, though at first mostly in Latin translations. Chrysostom appeared at Basle in 1504; Origen and John Damascene were published in Paris in 1512. With the editions of Ignatius and Polycarp prepared by Lefèvre and Clichtove and printed by Estienne (Stephanus)—to which pseudo-Dionysius was added in 1515—the sub-apostolic era was opened up.

To bring out a complete edition of the Fathers is a far greater undertaking than the haphazard printing of some isolated work of theirs.<sup>3</sup>

<sup>1</sup> *Annales Camaldulenses*, VOL. IX, p. 679. Cajetan's exegetical writings start with a translation of the Psalms in 1527, and were followed by the commentaries of the N.T. in 1529 and those on the O.T., as far as *Isaias*, in 1534.

<sup>2</sup> The following data are based on Panzer, *Annales typographici*, VOLS. VI-VIII.

<sup>3</sup> Up to the year 1500 one hundred and eighty-seven separate printed editions of isolated writings of St Augustine had been published, more than half of them spurious, but not one complete edition had appeared: *Gesamtkatalog der Wiegendrucke*, Nos. 2862-3048.

For the execution of such a task an editor must make himself thoroughly acquainted with the whole of the particular Father's literary output; he must eschew what is spurious and appraise his individual character and place in history. To Erasmus, the theology of the Fathers, so deeply inspired by Scripture and so relevant, seemed so far superior to the scholastic theology of the later period that he could not understand how anyone could lay aside Origen or Arnobius for the writings of Ockham, Durandus or Lyra.<sup>1</sup> True, to read the Fathers one must master both classical languages: "No man may claim the title of theologian", he wrote in 1515 to Martin Dorpius, "who has not passed through this door."<sup>2</sup> He questioned the value of the scholastic systems so laboriously built up in the course of the centuries. He was repelled by the "barbarous" language of the schools. Thus it came about that the opposition which his Biblical and patristic studies met with, on the part of certain scholastics, led him astray and caused him to indulge in extravagant exaggerations of the notorious weaknesses of the scholastic system. The question: "What has Christ to do with Aristotle?" implied in the last analysis not only the rejection of the Aristotelian teaching of the Middle Ages, but of scholastic theology itself. The Sorbonne very properly defended itself against such an aberration. The University could not allow its systematic investigation of the truths of the faith to be disposed of with the remark that it was no more than "a drawing of stale water" or even "a splashing in muddy puddles".<sup>3</sup>

There can be no progress without criticism of what has been achieved—not even in theology. However, the partisans of Biblical and patristic theology were not merely fighting for the life of their particular discipline—they were actually endangering the continuity of the theological tradition. The Middle Ages were not a period of deterioration for the Church, as Johannes Caesarius imagined<sup>4</sup>—on the contrary, they were an authentic stage in her growth and one that could not be skipped with impunity. So superficial a work as Cortese's *Sentences* did not deserve the encomiums with which Peutingger hailed the German edition. To use such a book as a university text-book, as Beatus Rhenanus proposed, would have been a retrograde step.<sup>5</sup> Nor was

<sup>1</sup> Erasmus, *Epist.*, VOL. II, p. 213. I was unable to consult Ch. Dolfer, *Die Stellung des Erasmus von Rotterdam zur scholastischen Methode*, Dissertation, Münster 1936.

<sup>2</sup> Erasmus, *Epist.*, VOL. II, p. 106.

<sup>3</sup> Duplessis d'Argentré, *Coll. iud.*, VOL. II, p. 72.

<sup>4</sup> Erasmus, *Epist.*, VOL. II, p. 173.

<sup>5</sup> A. Horawitz-K. Hartfelder, *Briefwechsel des Beatus Rhenanus* (Leipzig 1886), pp. 57, 61.

Erasmus's *Methodus* an adequate substitute for serious scholastic studies. His shyness of technical terms, such as "hypostasis" and "transubstantiation", which was ultimately due to a dislike of authoritative definitions and a scholar's fondness for question marks, led to his being suspected of indifference or scepticism in respect of dogmas defined by the Church. But far more dangerous than this shyness and wrong-headedness about Aristotle and the scholastics was the subtle, but for that very reason all the more deadly irony in which he indulged in his *Praise of Folly* and the *Colloquies*, at the expense of the higher and lower clergy, monks and theologians, the ceremonies of the Church and the manifestations of popular devotion. In spite of his loud protests that he only meant to hit unworthy members of those states and only the abuses in the life of the Church,<sup>1</sup> the fact remained that he had exposed to ridicule persons and institutions which up till then had been held in reverence. The circumstance that the *Praise of Folly* was written while he was staying at the house of a canonised Saint does not alter that fact. In vain did he deny responsibility for the mischievous and foul satire of the *Letters of Obscure Men*—it somehow stuck to him.<sup>2</sup> From such a spirit no genuine reform could proceed. When a preacher of reform like Geiler von Kaisersberg castigated abuses in the Church, his words vibrated with the awful earnestness of an accuser. Behind Erasmus's satire one seems to detect the grin of a sceptic. This, and not the alleged three hundred or more mistakes with which Stunica and Lee credit the editor and the translator of the New Testament, is the ultimate reason why the leaders of the Catholic reform, headed by St Ignatius of Loyola, declined to accept Erasmus as an educator.<sup>3</sup>

The *Enchiridion*, in which Erasmus advocated his "Philosophy of Christ", bears traces of the Platonist Giovanni Pico's influence.<sup>4</sup> It has been described as the most Christian of all his writings and an eminent patrologist declares that he would not hesitate to ascribe it to

<sup>1</sup> Particularly in the letter to Dorpius of the end of May 1515, Erasmus, *Epist.*, VOL. II, pp. 95 ff.

<sup>2</sup> "Quod istorum sint familia, quos Moria tam gnaviter pridem celebraverit," Wolfgang Angst writes on 19 October 1515 to Erasmus. Erasmus, *Epist.*, VOL. II, p. 153.

<sup>3</sup> Erasmus to Jonas, 19 October 1518: "Ex meis libellis pestem hauriri pietatis," his opponents assert. Erasmus, *Epist.*, VOL. III, p. 414. R. G. Villoslada, "San Ignacio de Loyola y Erasmo de Rotterdam", in *Estudios eclesiásticos*, XVI (1942), pp. 235-64, 399-426; XVII (1943), pp. 75-103. See G. Schnürer, "Warum wurde Erasmus nicht ein Führer der kirchlichen Erneuerung?" in *H. J.*, LV (1935), pp. 332-49.

<sup>4</sup> I. Pusino, "Der Einfluss Picos auf Erasmus", in *Z.K.G.*, XLVI (1928), pp. 75-96.

one of the Church Fathers.<sup>1</sup> Christoph von Utenheim, one of the best bishops of the period, always kept it by him, and Erasmus saw with his own eyes the numerous marginal notes in the prelate's own hand.<sup>2</sup> Even at the Council of Trent someone suggested in all seriousness that the book should be placed in the hands of all future priests.<sup>3</sup> However, there can be no question but that this lay theology is as deficient in clear-cut definitions as is Ficino's Platonic theology; yet even men like Colet and Lefèvre were taken in by it. But while Renaissance Platonism was wrecked on the rocks of gnosis and the cabbala, the "Philosophy of Christ" glided all too lightly over the depths of the Christian mysteries. Neither work could inspire a genuine renewal. *Mediocritatem suadeo*, Francesco Pico wrote to Leo X in support of his proposals for a reform.<sup>4</sup> Here it was precisely that their weakness lay. Not by the easy road of mediocrity, but by the steep path of holiness alone would the Church rise again.

About the year 1515 not only many humanists, but statesmen like Thomas More and Duke George of Saxony, bishops such as Warham of Canterbury and Utenheim of Basle, were under the impression that a reform as planned by Erasmus would renew the Church. Leo X spoke of him in the most flattering terms.<sup>5</sup> Their expectations remained unfulfilled. Schism supervened, and the extent to which Lutheran criticism of scholasticism and the pious practices of the Church tallied with that of Erasmus suggested the conclusion drawn by Carpi and other ecclesiastics of the sixteenth century,<sup>6</sup> namely that the chief result of Erasmus's activity had been to pave the way for Luther. This conclusion is wrong, for in spite of some dangerous tendencies—

<sup>1</sup> S. Merkle told me of this saying of F. X. Funk, but unfortunately I have no printed authority for it.

<sup>2</sup> Erasmus, *Epist.*, VOL. II, pp. 242 ff.

<sup>3</sup> *C.T.*, VOL. V, p. 117.

<sup>4</sup> J. F. Pico, *Opera omnia*, VOL. II (Basle 1601), p. 888.

<sup>5</sup> The briefs of 10 July 1515 in Erasmus, *Epist.*, VOL. II, pp. 114 ff. On 15 July 1519 Justus Jonas wrote to Joh. Lang: "Erasmus vel uno triennio ecclesiam Christi atque adeo orbem novavit." G. Kawerau, *Briefwechsel des J. Jonas*, VOL. I (Halle 1884), p. 28.

<sup>6</sup> *Albertus Pius Carporum comes, ad Erasmi Roterodami expostulationem responsio* (Paris 1529), fols. 7 ff.; see F. Lauchert, *Die ital. literarischen Gegner Luthers* (Freiburg 1912), pp. 283 ff. It is greatly to be desired that the attitude of ecclesiastical authorities to Erasmus and the literary campaign against him should be examined by a Catholic theologian. If I am not mistaken, the turning-point in their opposition was the condemnation of certain of his propositions by the Sorbonne in 1526, Duplessis d'Argentré, *Coll. iud.*, VOL. II, pp. 47-77. Bataillon, *Erasme en Espagne*, pp. 467 ff., is the best authority on the point but of course without adequate theological appreciation.



tendencies which, in fact, we only know to have been such because we view them in retrospect and in the light of subsequent events—humanism made an important and positive contribution to the Catholic movement of reform and renewal.

The Bible and the Fathers, the philological study of ancient texts, historical criticism and tradition won for themselves a strong position in theology—one they maintained even after Luther's attacks on the Vulgate and the canon of the Bible, the Papacy and the sacraments had rendered suspect every form of critical study based on historical arguments. On the other hand, one result of the controversies then raging was to demonstrate the fact that scholasticism was indispensable for the defence of the faith. Pius II's open-mindedness with regard to the Donation of Constantine was well known to his intimates. Wimpfeling, on his part, dared to attack the legend which ascribed the foundation of the Augustinians to the great Bishop of Hippo. All this underwent a change as soon as the innovators began to deny the fact of St Peter's residence in Rome and to describe the Epistle of St James as "an epistle of straw". The Sorbonne would not hear of Erasmus's proposal that the Bible should be translated into the vernacular, or of his assertion that the author of the works of St Dionysius was not identical with the Areopagite of Acts. But this reaction, of which more will be said later, did not prevent the study of the original text of the Bible nor the popularity of the great editions of the Fathers prepared by Erasmus in conjunction with Beatus Rhenanus and Oecolampadius. Francisco de Vitoria's and Melchior Cano's work would have been as impossible without the achievements of humanism as would Sirleto's patristic studies in preparation for the Council of Trent. The scholarly defenders of the dogmas and institutions of the Church leaned on the shoulders of Erasmus, so that when Paul IV prohibited his editions of the Bible and the Fathers together with those published by the Protestants, Rome itself was greatly embarrassed. In the preface to his edition of Gratian's *Decretum* in 1512, Beatus Rhenanus formulated the motto: "Back to the Fathers and to the ancient papal Decretals by way of Gratian."<sup>1</sup> Such a challenge could not be disregarded at Trent. Positive theology was on the march, and with it flowed the ideals of the ancient Church like a broad tributary into the stream of reform.

The University of Alcalá was wont to observe the feast of the four great Western Doctors of the Church with special solemnity. There was high purpose in the practice, none other in fact than the renovation

<sup>1</sup> Horawitz-Hartfelder, *Briefwechsel des Beatus Rhenanus*, p. 51.

of the contemporary Church on the model of the ancient one. The study of the Fathers conjured up a lively picture of the ancient Church. It became the standard by which existing conditions were assessed. But unlike the medieval "spirituals" who believed in a universal corruption, those thus engaged cherished no apocalyptic expectations of a new Jerusalem, nor were they out for criticism of their neighbour; their aim was to regulate their own conduct in accordance with their ideal. Wimpfeling and Clichtove preached the purity and the dignity of the priestly life.<sup>1</sup> A collection of homilies of the Fathers was intended to open new paths for preachers.<sup>2</sup> One abbot was singled out for praise because he walked in the footsteps of the fathers of monachism, St Hilarion and St Jerome.<sup>3</sup> Bishops were urged to model their conduct on the rules laid down in the Pastoral Epistles and on the pastoral work of the Fathers as revealed in their homilies and their correspondence.<sup>4</sup> A bishop who spent his energy in ostentatious display and in the administration of his temporal possessions was described as a survival of a barbarous age; the conduct of the typical benefice-hunter was countered by that of the devout and learned priest engaged in pastoral work. Together with St Gregory's *Regula pastoralis*, a popular work throughout the Middle Ages, and St Ambrose's *De Officiis*, St John Chrysostom's work on the priesthood and St Gregory Nazianzen's *Apologia* were put before the clergy as so many mirrors of the virtues of their state. In 1516, the year of publication of Erasmus's New Testament and his St Jerome, a layman, Contarini, wrote a book for bishops for which that reforming prelate, Pietro Barozzi, served as model. But the book was likewise inspired by the ideals of the era of the Fathers. Thus through the interaction of life and letters a new ideal of a bishop arose. It took shape on the eve of the Council of Trent in the person of Giberti, Bishop of Verona, received its classical form at the height of that gathering in the *Stimulus pastorum* of Bartolomeo de' Martiri, and its historical living embodiment in St Charles Borromeo.

Almost every page of the history of the early Church tells of a synod; the whole discipline of the ancient Church rested on synodal

<sup>1</sup> J. Wimpfeling, *De integritate* (1505); see Knepper, *J. Wimpfeling*, pp. 183-91; J. Clichtoveus, *De vita et moribus sacerdotum* (1519). The author draws upon Chrysostom more than on any other Father.

<sup>2</sup> For the editions of the *Omeliarius doctorum de tempore* ("ex quattuor orthodoxis et aliis sanctis doctoribus"), see Panzer, *Annales typographici*; Basle 1505, 1506, 1516; Lyons 1516, 1520, and one edition *sine loco et anno*.

<sup>3</sup> Erasmus, *Epist.*, VOL. II, p. 155.

<sup>4</sup> For what follows I draw on my essay: *Das Bischofsideal der kath. Reformation: Sacramentum Ordinis* (Breslau 1942), pp. 200-56.

canons. People accordingly asked whether the prevailing state of affairs was not due to the neglect in recent times of such a means of reform. Though Erasmus himself entertained no high expectations from them, the revival of provincial and diocesan synods became one of the items in the programme of many advocates of reform. For a knowledge of the ancient canons a collection of the acts and decrees of the Councils was needed. The need of such a work had been realised before; even the Middle Ages were aware that the *Decretum* of Gratian was not enough.<sup>1</sup> Quirini and Giustiniani voiced the need anew.<sup>2</sup> It was given satisfaction in the editions of Merle and Crabbe.<sup>3</sup>

In the meantime the problem of Church reform had entered a new stage. Personal reform had left the territory of the Church and had become a revolution. Up to the rise of Luther countless members of the Church had striven for self-reform and had entered on the path traced out by Johann Nider after the Council of Basle. Much had been done for a reform of the secular clergy and the orders; neither the laity nor the secular authorities had lagged behind, while the *devotio moderna* and humanism had pointed to new ideals. But what did it lead to?

The fact is that not one of these efforts had been completely successful, even in some restricted sphere such as a religious order or a particular country, much less therefore in the whole Church. A general reform was only possible if it reached the top and laid hold of the Papacy. It never got so far. True, the Popes of the Restoration and the Renaissance encouraged self-reform of the members,<sup>4</sup> but they rarely took a personal initiative in this direction and did but little to remove the obstacles that hampered the progress of the new movement. It was left to the post-Tridentine pontiffs to show what could be done in this sphere.

One preliminary condition for an effective movement towards reform, one that would affect the whole Church, was the presence of a new spirit not only at the centre but also at the periphery of the Church.

<sup>1</sup> In connexion with the reform of the University Durandus had suggested "quod concilia generalia hactenus celebrata in singulis studiis et insuper in omnibus cathedralibus et collegiatis ecclesiis haberentur, ut qui vellent possent habere copiam de iisdem". *Tract. ill. iuriscons.*, VOL. XIII, i, 180<sup>v</sup>.

<sup>2</sup> *Annales Camaldulenses*, VOL. IX, p. 680.

<sup>3</sup> H. Quentin, *J. D. Mansi et les grandes collections conciliaires* (Paris 1900), pp. 7 ff.

<sup>4</sup> For a number of particular regulations, especially such as were intended to promote the reform of the orders, see Pastor, VOL. II, p. 632 (Sixtus IV), (Eng. edn., VOL. IV, p. 389); VOL. III, p. 315 f. (Innocent VIII), (Eng. edn., VOL. V, p. 340); VOL. III, pp. 106 ff. (Alexander VI), (Eng. edn. VOL. VI, pp. 142 ff.); VOL. III, pp. 888 ff. (Julius II), (Eng. edn., VOL. VI, pp. 444); VOL. IV, i, p. 605 (Leo X), (Eng. edn., VOL. VIII, pp. 455 ff.); VOL. IV, ii, pp. 579 ff. (Clement VII), (Eng. edn., VOL. X, p. 454).

Regulations and administrative measures can only lead to a reform if they are consistently upheld by superiors and if subjects are willing to comply with them. Ideas and ideals demand internal assent and assimilation by those who are prepared to uphold them at their personal cost and at the price of some sacrifice. There was little enough of this spirit in the ranks of the hierarchy or any other estate of the Church. If there was no real improvement in the condition of the Church in spite of numerous schemes and attempts at a reform, responsibility for the failure must be shared by all.

The notion that before the Schism the Church was sunk in worldliness, superstition and abuses, which used to prevail in Protestant circles, has long been known to be untenable. On the other hand, we should refrain from viewing Catholic attempts at reform in the period of the Middle Ages as a mighty stream which, by its own momentum, would have led to a general reform even if there had been no schism. The latter event did more than merely tamper with its course or divert it. The Protestant Reformation owed its success to the fact that the attempts at reform which sprouted from the soil of the Church did not come to maturity. They nevertheless constituted the preliminaries and even the beginning of that regeneration of the Church in the last years of the sixteenth century which is usually referred to as the Catholic Reformation. The reform decrees of the Council of Trent are the most notable fruits of this transformation. The Schism did much more than provide the occasion for the Council of Trent. Not only were its dogmatic definitions called for by the errors of the Reformers, but even its reform decrees might not have been promulgated but for the Schism. This is the lesson of the story of the conciliar idea and reform from the days of Basle which we have followed up thus far. It has provided plentiful material to enable us to answer the grave and, for a Catholic, depressing question: "Why was the Council so long delayed?"

# Book Two

## CHAPTER I

### Luther's "Reform" and Council

WHEN the Wittenberg professor Martin Luther, of the German Congregation of the Augustinians-Observant, was appointed by his Superior Staupitz to the chair of Holy Scripture at the newly founded state university of the Electorate of Saxony, he no more thought of setting up as a reformer of the whole Church than any of the other leaders of the movement for personal reform. He was fully occupied with the preparation of his lectures, but even more so with the doubts that tortured his soul.<sup>1</sup> Before his mind there rose the awful thought of God's justice, inexorable in its condemnation of sin. A conviction forced itself on him that his life, his prayers, his works and sacrifices did not measure up to God's exigencies in regard to purity of intention and perfection of execution. What was he to think of himself, as he contemplated the state of his soul in the light of the assertion of nominalist theologians that man was able, by his own power, to love God above all things? Inexorably sincere as he was where his own person was concerned, he collapsed at the sight of the abyss between what he felt himself to be in his innermost self and the demands of God. He was conscious of the power of sin, but not of the quickening virtue of grace and sacraments. Hence even confession brought him no peace. Evil desires kept rising in him after absolution as they had arisen previous to it. Worse still, he was aware that a self-complacent satisfaction at the good he had done poisoned his soul, as frost nips

<sup>1</sup> It is obviously impossible to substantiate in detail the assessment of Luther's evolution as compressed in the above propositions. This judgment is based upon a prolonged study of the sources, extending in part over a period of more than twenty years, and upon an exchange of views with authoritative Catholic biographers of Luther—Denifle, Grisar, Lortz—as well as with the Protestants Scheel and Holl. During my sojourn in Rome my access to the literature of recent years was limited, but the following works seem to me to deserve notice: E. Vogelsang, *Die Anfänge von Luthers Christologie* (Berlin-Leipzig 1929) and his *Unbekannte Fragmente aus Luthers zweiter Psalmenvorlesung* (Berlin 1940); also E. Seeberg, "Die Anfänge der Theologie Luthers", in *Z.K.G.*, LIII (1934), pp. 229-41. For the dating and the significance of Luther's first sermons, Vogelsang in *Z.K.G.*, I (1931), pp. 112-45 and H. S. Bluhm in *Harvard Theological Review*, XXXVII (1944), pp. 175-84.

flowers in the bud. There were times when he felt as if on the brink of hell and on the verge of despair. The counsel of understanding brethren was of no avail in the long run. Then there came a day when he fancied he had found a solution: his notion of God had been all wrong! The study of the epistle to the Romans convinced him that the justice of God before which he trembled is not exacting, does not condemn, but is wholly beneficent—that it is a justice that justifies the sinner in the eyes of God in virtue of Christ's redemption. His experience in the convent tower, which probably falls in the year 1512, opened the gates of paradise for his terrified spirit.

Almost at this very time, in far-away Venice, young Contarini found a solution for an interior conflict and for the problem of his vocation through trust in Christ and by means of his Easter confession.<sup>1</sup> On the other hand in the small university town of Wittenberg on the banks of the Elbe, Luther, Contarini's contemporary, laboriously reached a conviction which is a prerequisite, as well as the very heart, of a live Christianity, and therefore, cannot be at variance with Catholic dogma.

After his Easter experience the layman Contarini entered upon his career in the world. Often tempted and tortured by doubts, he sought counsel from his spiritual advisers whereas Luther the priest put a theological construction on his experience in the monastery tower and on this crucial incident built up for himself a new theology and a new conception of Christianity. In his opinion scholastic theology had been corrupted by Aristotelianism and had gone utterly astray, yet up to a point he remained faithful to it, though not as a follower of St Thomas and the scholastics, but in the wake of Ockham with whose "modern" system he had become acquainted at Erfurt.<sup>2</sup> Just as he imagined that his "tower experience" had taught him to shake off a theory of grace which he wrongly thought to be that of the Catholic Church—for it was not—so now he fought a scholasticism which had forsaken its best traditions. In Augustine and Tauler he sought and found confirmation for his "Pauline" doctrine of justification which ultimately had its

<sup>1</sup> The letter of 24 April 1511 to Giustiniani in which Contarini relates his spiritual experience was published for the first time in my paper "Contarini e Camaldoli", in *Archivio per la storia della pietà*.

<sup>2</sup> The influence of nominalism on Luther's teaching on sin and justification has been proved by Denifle, *Luther und Luthertum* (Mainz 1904), vol. I, pp. 569 ff., though not without some exaggeration. It has been further examined by C. Feckes, *Die Rechtfertigungslehre des Gabriel Biel* (Münster 1925), pp. 140 ff., and by O. Müller, *Die Rechtfertigungslehre nominalistischer Reformationsgegner* (Breslau 1940), especially pp. 164 ff. The critique of the latter work by V. Heynick in *Franziskanische Studien*, xxviii (1941), pp. 129-51, though noteworthy, does not alter the result on this point.

roots in his own inner self. His lectures on the Psalms hint at it; in those on Romans and Galatians it is fully worked out. Its two pivots are the doctrine of concupiscence as a sin which remains after baptism, and that of the acceptance by God of the sinner, in view of the merits of Christ, without any objective justification through sanctifying grace. The first point appeared to Luther as a fact of experience confirmed by St Paul and St Augustine, for experience proves the survival of sinful tendencies after baptism and penance; the second was linked with Ockham's opinion that absolutely speaking—*de potentia absoluta* and leaving revelation on one side—God can take a sinner—*quâ* sinner—into his favour, that is, justify him. Christ's justice fills up the chasm that yawns between God and the sinner, provided the sinner appropriates that justice by faith. Thus we get the paradox that the believer may be at one and the same time justified yet remain a sinner. Luther does not deny altogether the need of sanctification, but he conceives it as an ethical process, not as an objective transformation. Without objective sanctification there is no possibility of merit. In Luther's view faith renders external works of piety superfluous and reduces the sacraments to mere symbols. Though Luther demands works of charity from the justified, these works have nothing to do with justification itself, and he coins the fateful formula: "Faith alone without works." To the erroneous teaching of the nominalist school, that unaided nature is able to love God above all things, Luther opposes the thesis of its utter corruption, so that justification is exclusively God's work. He fails to see that God's primary activity in the supernatural sphere by no means excludes the possibility of fallen man's co-operation. The conclusion of his doctrine of salvation is "the theology of the cross".

Thus Luther makes of his extremely personal experience the centre of a new theory of salvation which is no longer in harmony with the faith taught by the Church. In the course of the next few years, under pressure of external circumstances as well as from an internal necessity, this theory gave birth to a novel conception of the Church—the second of the two essential elements of Luther's theology. In Luther's mind, the Church is no longer Christ's own creation as the instrument of grace and salvation: she is the community of the predestined. All that the eye can see of the Church is a number of communities whose organisation is based not on divine law but on a purely positive (human) one. This does away with the doctrine of the divine institution of papal supremacy and the authority of the hierarchy, a fundamentally distinct

priesthood and the sacrifice of the Mass. From Holy Scripture, his only source of theological information, Luther attempts to prove that under the leadership of the Popes the Church has gone astray for centuries.

In 1517 Luther had not yet drawn all these conclusions, but his theory of salvation was completely worked out. Thus the process against which Egidio of Viterbo, the General of the Augustinians, had warned the Fathers of the Council of the Lateran, was an accomplished fact—that is, the lowering of the supernatural to man's level instead of the transformation of man by the informing energy of the supernatural; the centre of gravity had shifted to the individual. By this time Luther was no longer within the Church, though he knew it not. He only realised the bearing of his theological opinions and drew the conclusions which led to his conception of the Church when the controversy over indulgences suddenly made him the centre of public interest and the leader of a powerful movement.

Tetzel, a Dominican, had been preaching in the neighbourhood of Wittenberg the indulgence granted in connexion with the building of the new St Peter's. Certain exaggerations and abuses moved Luther to take up the fight against indulgences. His first step was to put up ninety-five propositions at the door of the castle church of the small university town. Among other statements he asserts that indulgences are exclusively limited to canonical penalties and are of no effect in another world, so that they cannot relieve souls in Purgatory. He denies the existence of an ecclesiastical treasury—*thesaurus ecclesiae*—constituted by the merits of Christ and the Saints and subject to the power of the keys. By stripping the sacraments of their virtue as against faith, Luther attacked the Church in her role of a mediator of grace, and by denying the value of indulgences he denied her authority in the sphere of conscience, an authority that extends beyond the ordinances of Canon Law. In attacking indulgences Luther's theory of salvation trenched on a sphere of the Church's life in which undeniable exaggerations and abuses had occurred: theology became reform.

It is unlikely that when he nailed up his theses on 31 October 1517 Luther had any presentiment of the storm he was unleashing. He was a professor and looked for an academic discussion. However, the theses were printed and soon passed from hand to hand. The preachers of the indulgence were held up as impostors before all the world; the consequence was that the yield of the proclamation diminished rapidly. The injured party defended itself. Tetzel and Wimpina, a professor of



Frankfurt, countered Luther's theses with theses of their own <sup>1</sup>: Johann Eck, a professor of Ingolstadt, published a vigorous refutation of Luther's errors. The controversy thus engaged could not, from its very nature, remain a purely academic question. Before long the highest authority took cognisance of it. The Roman process against Luther began.<sup>2</sup> As early as 13 December 1517, Archbishop Albrecht of Mainz, who was charged with the proclamation of the indulgence in Germany and thus was personally interested in the revenue derived from it, had informed the Pope of Luther's novel teaching. Moreover, together with the ninety-five theses, he had also forwarded some further printed writings of the Augustinian friar, among them his theses against scholastic theology. A denunciation for heresy by the Dominicans (who were attacked in the person of Tetzel) probably occurred in February 1518. A first attempt through the machinery of his Order to persuade Luther to withdraw his theses proved a failure. The formal process was opened in June. On the motion of the fiscal procurator Marius de Perusco, the Pope instructed an auditor of the Apostolic Camera, Jerome Ghinucci, to cite Luther to Rome, while at the same time he requested the Master of the Sacred Palace, Sylvester Prierias, to draw up a theological memorial on Luther's teaching. The citation, together with the memorial known as the *Dialogus*, which was at once set up in print, was despatched to Wittenberg by the Dominican General Thomas de Vio of Gaeta, better known under the name of Cajetan, who later on was to attend the Diet of Augsburg as papal legate. The documents arrived at Wittenberg on 7 August 1518.

Meanwhile, on the strength of the material at hand the Roman authorities had come to the conclusion that Luther was a notorious

<sup>1</sup> The sources for what follows are most conveniently put together by W. Köhler, *Dokumente zum Ablassstreit* (Tübingen 1902), and in the same author's *Luthers 95 Theses samt seinen Resolutionen, etc.* (Leipzig 1903).

<sup>2</sup> The course of the proceedings against Luther was first established by K. Müller, "Luthers römischer Prozess", in *Z.K.G.*, xxxiv (1903), pp. 46-85. His account is further supplemented by A. Schulte, "Die römischen Verhandlungen über Luther", in *Q.F.*, vi (1904), pp. 34 ff., 174 ff., 374 ff., with extracts from the consistorial acts. P. Kalkoff has thrown further light upon it in several large volumes for which he drew on all the available sources: *Forschungen zu Luthers römischen Prozess* (Rome 1905), and for its second phase in a series of articles in *Z.K.G.*, xxv (1904), pp. 90-147, 273-90, 399-459, 503-603; finally, on the first phase (1518) and on the influence of the Dominicans, in *Z.K.G.*, xxxi (1910), pp. 48-65, 368-414; xxxii (1911), pp. 1-67, 199-258, 408-56; xxxiii (1912), pp. 1-72, was also published separately. Of these works, and of those to be quoted later, I can only say that his knowledge of people and events in the first years of the Reformation is unequalled but he tends to put his own construction on them and more than once he fails to restrain his dislike for everything Catholic.

heretic so that there was no need of a regular inquiry to establish the fact. Moreover, the Emperor Maximilian I offered to proceed against him in accordance with the laws of the Empire, so that there was every prospect of a speedy conclusion of the process. On 23 August the Pope instructed the legate to cite the accused to appear at Augsburg,<sup>1</sup> to examine him and, if he recanted, to absolve him. Should he refuse to recant, he was to be arrested and extradited to Rome. If he refused to put in an appearance, the legate was to excommunicate him as an obstinate heretic. At the same time an order for Luther's extradition was sent to his territorial sovereign, Frederick the Wise, and an order for his arrest to Hecker, the Provincial of the Order. These orders crossed a request made by Luther and supported by Frederick the Wise to the effect that the affair should be dealt with in Germany and, if possible, submitted to the arbitration of scholars. The latter proposal rested on a view which was no longer valid, viz. that the controversy over the theses was no more than a quarrel of scholars, which should accordingly go before an academic tribunal.

These misunderstandings on both sides led to the examination of Augsburg (12-15 October 1518).<sup>2</sup> Cajetan was the greatest theologian of his time. So sure was he of his mastery of the subject that he imagined he would have no difficulty in convincing the young professor of the error of his opinions. Although the available material was still scanty enough, Cajetan's wonderful acumen had enabled him to isolate Luther's two main errors, viz. his teaching on the nature of indulgences and on the efficacy of faith. The experienced friar hoped to attain his object—recantation—by fatherly exhortations. His touching patience went unrewarded. Luther denied the validity of Clement VI's decretals on the indulgence with which the cardinal countered him. His conscience, he declared, would not let him recant so long as he was not convinced of the error of his teaching by proofs from Holy Scripture. The written justification which he handed to the legate satisfied the

<sup>1</sup> Kalkoff assumes that the briefs of 23 August arrived at Augsburg on the thirtieth. This is possible if couriers were employed, but it is not certain. I am of opinion that the *colloquium* between Cajetan and Frederick the Wise took place in the first days of September, though before the fifth. It should be noted that the brief to Cajetan which Kalkoff assigns to 11 September does not in any way modify the instructions he had received on 23 August.

<sup>2</sup> The *Acta Augustana*, *L.W.*, VOL. II, pp. 6-26, in part in Le Plat, VOL. II, pp. 16 ff., 26 ff. For the bibliography I refer to Schottenloher, Nos. 27917a-22. Here I may observe that I have made a much greater use of Schottenloher's wealth of bibliographical information than appears from my quotations. In the same way I only mention the current theological works of reference such as *L.Th.K.*, *D.Th.C.* and *R.E.* when I had no complete bibliography at my disposal.

latter no more than the offer to submit to arbitration by the Universities of Basle, Freiburg, Louvain and Paris.

Had the negotiations merely reached a deadlock, or were they already wrecked? Neither party knew, and both adopted a waiting policy. In order to protect himself Luther made a formal statement before a notary and witnesses by which he refused to acknowledge the competence of the judges who had conducted the inquiry up to that time, namely Ghinucci, Prierias and Cajetan, on the plea that they were biased; he further asserted that he was not bound by the citation to Rome and ended by appealing to a better-informed Pope. This was done on 16 October at the convent of the Carmelites. On the following day he wrote to the cardinal to express regret for his violent outburst against the Pope; he also assured him of his willingness to stop writing on the indulgence and his readiness to listen to the Church. But of a recantation he breathed not a word although at their last interview the cardinal had told him that if he refused to recant he did not want to see him again. As nothing happened until 20 October Luther's silence became suspect; the fact was that he had fled from Augsburg.

Cajetan had been thwarted of his purpose. He had neither succeeded in persuading Luther to recant nor had he been able to execute the order for his arrest owing to the guarantees previously given. He accordingly addressed an extradition demand to the Elector; at the same time he informed the Elector that the process would forthwith take its course in Rome. This information reached Wittenberg on 19 November. On 28 November Luther lodged his first appeal—*in cautionem*—from a misinformed Pope to the next General Council. This appeal has been regarded by some as marking the start of the conciliar movement,<sup>1</sup> but this is incorrect. In the strictly legal sections of his appeal Luther leans on the conciliar appeal of the University of Paris of 27 March 1518 against the French concordat.<sup>2</sup> His purpose was none other than to substitute for the obviously useless appeal of Augsburg a more effective legal device which would make it possible

<sup>1</sup> *L.W.*, VOL. II, pp. 36-40; *Le Plat*, VOL. II, pp. 37-42. For the dates of the correspondence between Cajetan and Frederick the Wise (25 October and 18—not 8—December 1518), see Kalkoff in *Z.K.G.*, xxvii (1906), pp. 323 ff. On the subject as a whole: S. Ehses, "Luthers Appellation an ein allgemeines Konzil", in *H.J.*, xxxix (1918-19), pp. 740-8. The *Antwort Jo. Cochlaei auff Martin Luthers freveliche Apellation anno 1520 von bapst auff ein zukünftig Concilium* (1524), Spahn, *Johannes Cochlaeus*, bibliography No. 20, came of course too late.

<sup>2</sup> Comparison of the parallels in J. Thomas, *Le Concordat de 1516*, VOL. III (Paris 1910), pp. 73 ff.; complete text of the appeal on pp. 429-37. It should be noted that only the juridical formulas agreed, not the "narratio".

to arrest the civil effects of the ecclesiastical penalties that were bound to ensue. It was not at first intended to disseminate the appeal by means of the press. Luther had but recently printed the *Acta Augustana*. He would wait for the arrival of the excommunication before circulating his appeal among the people; its immediate publication was due to the printer Grunenberg, who acted on his own authority.<sup>1</sup> Thus the appeal became public. In itself it was no more than a legal manœuvre, suggested by the jurists of Wittenberg, in the hope of intimidating the Curia. It could not in any way affect the canonical process since it was invalid in consequence of the prohibitions of Pius II and Julius II.

As a matter of fact it did not affect the further course of the process. The fact that no immediate progress was made, as Cajetan had announced, was due to a consideration of high policy. The Curia was anxious to spare Luther's sovereign and patron, Frederick the Wise, and to take advantage of his prestige throughout the Empire in order to prevent, if possible, the election as emperor of the youthful prince of Habsburg, Charles of Spain, by means of the election either of Frederick himself or of Francis I of France. Charles's election was thought to constitute a threat to the territorial independence of the Pope on account of his sovereignty over Naples. More than that—by means of small attentions and the bestowal of the Golden Rose—the Curia hoped to win over Frederick for this great plan. A secondary commission of the bearer of the Golden Rose, Karl von Miltiz, was to persuade the Elector to consent to Luther's extradition, but it had not been the Pope's original intention that he should engage in a great policy of mediation during his stay in the castle of Altenberg from 4 to 6 January 1519. The conceited junker was allowed to swagger because a semblance of a conciliatory disposition in the affair of Luther would forward the main political business—the imperial election. The plan devised by Miltiz, which was that the Archbishop of Trier should decide Luther's affair in Germany itself, was not authorised by the Curia. Luther also rejected it, for he regarded it as a trap.<sup>2</sup> Setting on one side the mixture of good-natured, sly and at bottom unsuspecting *bonhomie* with which Miltiz, as a fellow Saxon, sought to settle Luther's affair, the idea of entrusting the inquiry to a German bishop had much to recommend

<sup>1</sup> Luther to Spalatin, 20 December 1518, *L.W.*, *Briefwechsel*, vol. 1, p. 280 f.

<sup>2</sup> The acts of the election in *R.T.A.*, vol. 1, pp. 143-876. Kalkoff's attempt, "Die Kaiserwahl Friedrichs des Weisen", in *A.R.G.*, xxi (1924), pp. 134-40; *id.*, *Die Kaiserwahl Friedrichs IV und Karls V* (Weimar 1925), to prove a valid election of Frederick the Wise as Emperor is a failure.

itself and would not have been without precedent. At any rate it took into account the fact that the controversy over the theses had long ago come to the knowledge of the masses in Germany. This was better than the suggestion to stick to the fiction that the dispute was of a purely academic character and should be submitted to the arbitration of a university.

As was to be expected, the disputation between Eck and the two Wittenbergers, Karlstadt and Luther, which took place at Leipzig at the request of Duke George of Saxony and against the wishes of the University, led to no agreement and only served to underline the differences, while the publicity connected with it added fuel to the excitement. As for the Universities of Paris and Erfurt, which were to arbitrate, they withheld their decision in view of the canonical ordinances to the contrary.<sup>1</sup>

In any case a precious year had been wasted when on 28 June 1519 Charles V's election as German Emperor stultified the Curia's plans for Frederick the Wise. The Roman process was resumed, but though the Curia was anxious to bring it to a speedy conclusion it did not in any way depart from its traditional caution in dealing with matters of faith. At a consistory on 11 January 1520, after Cardinal Bibbiena's return from his French legation, an Italian speaker not otherwise known insisted on stern measures being taken against Luther and his protector.<sup>2</sup> A committee of theologians formed at the beginning of February and presided over by Cardinals Accolti and Cajetan, and in which every mendicant order was represented by its General or its Procurator-General, subjected several of Luther's theses to a searching examination, and at least the last-named handed in their verdict in writing.<sup>3</sup> There was general agreement that the propositions must be condemned; the only difference of opinion bore on the question whether they were to be condemned *seriatim* as erroneous, scandalous and heretical. After Johann Eck's arrival in Rome the two cardinals set to work on the draft

<sup>1</sup> Contract for the disputation in Gess, *Akten und Briefe*, vol. 1, pp. 91 ff.

<sup>2</sup> Our only source of information is Melchior von Watt's account, in *Q.F.*, vi (1905), pp. 174 ff. Kalkoff's dating of the consistory on 9 January instead of 11 is open to doubt, *Z.K.G.*, xxv (1904), p. 95.

<sup>3</sup> Sanudo, *Diarii*, vol. xxviii, pp. 246, 256 ff. Kalkoff's assumption of a first commission exclusively composed of Franciscans Observant, on the basis of the report of 11 February (*ibid.*, p. 260), seems to me extremely doubtful. "Quella congregazione" is surely that of 4 February already mentioned, at which the Observants of *all* the orders were represented. Why should the Franciscans alone have been summoned to a commission of this kind? Either the words "di S. Francesco" are a mistake of Sanudo's or information on the other orders is lacking. Gabriele della Volta made no reference to such a commission on 16 March (*ibid.*, p. 376).

of the Bull of Condemnation. It was discussed in four consistories between 21 May and 1 June.<sup>1</sup> When the question of the mode of condemnation cropped up again, the theologians were called in once more on 23 May. Eck's proposal that all the propositions submitted should be condemned *in globo* as erroneous, scandalous and heretical prevailed over the contrary opinion held by most members of the theological commission—probably also by Cajetan—which was that each proposition should be given its individual note.<sup>2</sup> The opposition was met to some extent by the decision not to condemn Luther at once but to give him a time-limit of sixty days in which to make his submission. On 15 June the Bull *Exsurge* was published in Rome.<sup>3</sup>

Most of the forty-one propositions of Luther condemned in the Bull (arts. 1-20, 37-40) were taken from the verdict of the University of Louvain of 7 November 1519. They bore on Luther's teaching on indulgences and the efficacy of the sacraments. Eck was responsible for the inclusion of the articles on the primacy (25-30) on which Louvain had expressed no opinion; art. 28 included a condemnation of the conciliar theory. The Bull expressly rejected Luther's appeal to a Council on the basis of Pius II's and Julius II's prohibitions. No less a man than Eck himself admitted at a later date that this compilation of Luther's errors in the Bull of Condemnation was far from adequate and was, in point of fact, already obsolete at the time of publication. It stuck too much to the principle of the enumeration of erroneous

<sup>1</sup> The very concise consistorial acts are in *Q.F.*, VI (1905), pp. 33 ff., those for 21 May in Sanudo, *Diarii*, VOL. XXVIII, p. 549.

<sup>2</sup> Cajetan's observation reported by Martin Bucer on 30 July 1519: "Sint errores non haereses", and his warning against drawing exaggerated conclusions: "Non nimium oportet emergere", Horawitz-Hartfelder, *Briefwechsel des B. Rhenanus*, p. 166, is wholly in keeping with Cajetan's memorial of the year 1531 to be mentioned later. He reveals his greatness as a theologian by the moderation of his judgments. The assertion in *Acta Academiae Lovaniensis (Erasmi opuscula*, ed. Ferguson, p. 322) that Carvajal had offered strong opposition in the consistory ("vehementer obsistente Cardinale S. Crucis") may be correct. In that case there would be question of thesis 28 the condemnation of which the old adherent of the conciliar theory would have opposed. That he had not abandoned his conciliarist standpoint even after the failure of the abortive Council of Pisa appears from his remark on the occasion of the reconciliation recorded by Christoph Scheurl (*Briefbuch*, VOL. II, p. 72): "Testatus est, etsi crederet se non errasse, tamen si secutus esset scandalum, agnosceret errorem." On the other hand the testimony of the *Acta Acad. Lovan.* does not seem to me sufficiently strong to justify the far-reaching conclusions drawn by Kalkoff in *Z.K.G.*, XXV (1904), pp. 120 ff.

<sup>3</sup> *Bull. Rom.*, VOL. V, pp. 748-57; Le Plat, VOL. II, pp. 60-72; also Kalkoff's observations in *Z.K.G.*, XXV (1904), pp. 104 ff., and in *Forschungen zu Luthers röm. Prozess*, pp. 188 ff. On the German translation of the Bull see *Z.K.G.*, XLV (1927), pp. 382-99. There is evidence that the Bull went through nineteen printed editions. Further bibliography in Schottenloher, Nos. 12043-56.

propositions, whereas the fundamental points of the system were not given sufficient prominence. However, we must bear in mind that it was only in the writings in which he unfolded his programme between 1520 and 1521 that a number of Luther's opinions—with their consequences—were fully worked out and defined.

Eck personally took the Bull to North and Central Germany. Towards the end of September he published it in the diocese of Brandenburg in which Wittenberg was situated, as well as in the adjoining Saxon dioceses. Even before the expiration of the sixty days' time-limit on 17 November 1520 Luther appealed a second time from the Pope to a future Council at which he could appear without risk, either in person or through a representative.<sup>1</sup> In this conciliar appeal the motive of legal insurance as well as propaganda is even more apparent than in the first, that of 28 November 1518. The Elector had privately advised Luther to write to the princes of the Empire in order to make sure of their protection when the Bull came to be executed. Luther declined to follow this advice and elected to appeal to a Council in spite of the fact that in the meantime his attitude to a Council as such had undergone a complete change. Rome was actually in possession of a declaration, duly attested by a notary, made by him in the course of the disputation of Leipzig on 6 and 7 July 1519, when he had stated that even Councils could err and had actually erred.<sup>2</sup> With such a declaration he himself cut the doctrinal ground from under his conciliar appeal. He appealed to a tribunal whose competence he denied and thereby branded his action as a mere manœuvre; he was building on the conciliarist sentiments of a number of princes of the Empire.<sup>3</sup>

<sup>1</sup> *L.W.*, VOL. VII, pp. 75-82; German text, *ibid.*, pp. 85-90; Le Plat, VOL. II, pp. 77 ff. For Karlstadt's appeal of 19 October 1520 cf. H. Barge, *Andreas Bodenstein von Karlstadt*, VOL. I (Leipzig 1905), pp. 229 ff. Cochlaeus's "Reply" (Spahn, *Cochlaeus*, bibliography No. 20), as I have already observed, came much too late.

<sup>2</sup> *L.W.*, VOL. II, pp. 288, 303. In the second passage Luther admits the authority of a Council in matters of faith: "Consentio cum D. Doctore quod conciliorum statuta in iis quae sunt fidei sunt omnino complectenda; hoc solum mihi reservo, quod et reservandum est, concilium aliquando errasse et aliquando posse errare, praesertim in iis quae non sunt fidei nec habet concilium auctoritatem novorum articulorum condendorum in fide, alioquin tot tandem habebimus articulos quot hominum opiniones." More clearly still, in his letter to the Elector, 18 August 1519 (*L.W.*, *Briefwechsel*, VOL. II, pp. 479 ff.), he says: "Mir ist genug dass Concilia nit Jus divinum machen", and further on "ein Concilium mag irren . . . und hat etlich Mal geirrt, wie die Historien beweisen und das letzt römisch anzeigt wider das Costnitzer und Basler."

<sup>3</sup> Luther to Spalatin, 4 November 1520: "Non scribam privatim ad principes, sed publica schedula appellationem innovabo, invocaturus ad adhaesionem quoslibet Germaniae magnos et parvos et rei indignitatem expositurus" (*L.W.*, *Briefwechsel*, VOL. II, p. 211). He had announced this intention soon after the arrival of the Bull,

The appeal could neither prevent nor delay the ecclesiastical penalties. The Bull *Decet Romanum pontificem* of 3 January 1521 pronounced sentence of excommunication against Luther and his abettors.<sup>1</sup>

*Roma locuta est, causa finita est!* should have been the last word on the subject. It was not to be. The Pope's condemnation of Luther and his teaching did not put a stop to the spread of that teaching. A variety of circumstances combined to rob the papal sentence of its effectiveness. The most important are these three. 1. The reserve of the authoritative ecclesiastical-political circles in Germany, above all that of the bishops, partly from opportunist considerations, but partly also on account of objections inspired by motives which must ultimately be traced back to the survival of conciliar theory. 2. The reaction of public opinion, which rebelled against the condemnation of a man in whom the people saw the mouthpiece of its aspirations for ecclesiastical and national reform. 3. The widespread self-delusion which led people to imagine that Luther and his adherents were not definitely cut off from the Church as long as a Council had not pronounced judgment. Behind the personal guilt of those concerned we can see, as through a glass, the deeper causes, such as the obscuring of the notion of primacy by conciliar theory and the failure of extra-conciliar attempts at reform up to that time. These were the reasons why so many of Luther's adherents fell into the fatal error that they were not following a heretic and were, therefore, not cut off from the Church. They caused even loyal sons of the Church to imagine that the last word on Luther's teaching could only be spoken by a General Council and that order could only be restored in the Church by means of conciliar reform. It is these views, not Luther's appeals, that started the demand for a Council which received satisfaction at Trent.

Difficulties began with the very publication of the Bull *Exsurge*.<sup>2</sup>

11 October, *ibid.*, p. 195; cf. also pp. 217 ff. It may have been at the Elector's suggestion that he called upon the town of Wittenberg to give its adhesion to the appeal in order to counter the threat of an interdict. The memorial submitted by the Wittenberg jurists Goede, Schurff and Baer in the spring of that year has not been preserved.

<sup>1</sup> *Bull. Rom.*, VOL. V, pp. 761-4; Le Plat, VOL. II, pp. 79-83.

<sup>2</sup> The correspondence of Bishop Philip of Freising with Eichstätt, Salzburg and Augsburg has been published by A. von Druffel, *Sitzungsberichte der Münchner Akademie, phil.-hist. Klasse*, 1880, pp. 571-97. Eck's correspondence with Bishop Christoph of Augsburg was published by J. Greving, in *R.S.T.*, XXI, XXII (Münster 1912), pp. 196, 221. In what follows, unless otherwise stated, I follow Kalkoff, "Die Bulle *Exsurge*", in *Z.K.G.*, xxxv (1914), pp. 166-203; xxxvii (1917-18), pp. 89-174. For the execution of the Bull *Exsurge* in the diocese of Würzburg in particular see *Z.K.G.*, xxxix (1921), pp. 1-14. Much information also in Th. Wiedemann, *Dr Johann Eck* (Ratisbon 1865), pp. 153 ff.



Although Eck managed to publish in due legal form original copies of the Bull in the cathedrals of Brandenburg, Merseburg and Meissen, all of which were mentioned by name in the document itself as well as in the brief of 18 July which commissioned him, the publication of printed copies, even though duly authenticated, and above all the Bull's execution, which included the surrender and burning of Luther's writings, met with strong opposition. The University of Wittenberg brushed the Bull aside as one of Eck's knavish tricks, and even the ordinary, Bishop Schulz of Brandenburg, did not dare to publish it. At Leipzig, students' riots forced the executor to flee from the town, and at Erfurt the document was thrown into the river. The University of Vienna, in spite of the opposition of the theological faculty, refused to act in the matter until the hierarchy and the University of Paris should have spoken. On 30 December an imperial decree ordered it to submit.<sup>1</sup>

Much more serious was the hesitation of the bishops. Only a handful of them, among them the Bishops of Trier and Liege, saw from the first the danger that threatened both the Church and themselves and acted accordingly. On the other hand the Bishops of Salzburg and Passau indulged for a while in passive resistance. The jurists at the episcopal courts of Augsburg, Freising, Eichstätt, Würzburg and Naumburg, most of whom had read law in Italy,<sup>2</sup> refused to stigmatise Luther's teaching unreservedly as heretical in conformity with the Roman decision, and in their mandates, in some cases delayed for months, they omitted precisely that decisive term. There was question of a conference of all the bishops of the province of Salzburg. The jurists of Naumburg went so far as to justify their attitude on the ground that Luther had appealed to a Council. In many places it was impossible to find a printer prepared to print the Bull together with the relevant episcopal mandates, so that for the dioceses of Augsburg, Eichstätt and Ratisbon Eck was obliged to get it done clandestinely by Lutz of Ingolstadt,<sup>3</sup> although Ulrich von Hutten had long before

<sup>1</sup> Balan, *Monumenta*, 11-15 (11 December 1520); *ibid.*, Aleander's draft for the reply, pp. 16 ff.; the final text in Kink, *Geschichte der kaiserlichen Universität Wien*, VOL. I, II, pp. 124 ff.; on p. 120 extracts from the protocols of the faculty of theology.

<sup>2</sup> In view of the proofs adduced in Book I, Chapters II and V, of the conciliarist opinions of some Italian canonists, it would be expedient to examine, on the basis of the registers of Padua, Pavia, Bologna, etc., which bishops and jurists of the Reformation period had studied law in Italy and under which professors.

<sup>3</sup> K. Schottenloher, "Magister Andreas Lutz in Ingolstadt, der Druck der Bulle *Exsurge Domine*", in *Zentralblatt für Bibliothekswesen*, XXXII (1915), pp. 249-66.

published it in pamphlet form with sundry ironical glosses of his own.<sup>1</sup> Thus it came about that such a decisive utterance by the supreme doctrinal authority as the Bull *Exsurge* was only tardily and inadequately published in Germany, while the public burning of Luther's writings, which were permeated with errors, was not carried out at all <sup>2</sup> except in the Rhineland and in the Low Countries, where the nuncio Aleander was able to enforce it with the help of the Emperor.

This conduct of a number of German bishops, which bordered on sabotage, was not just opportunism; in the case of some of them at least it was prompted by considerations based on principle. Let us try to visualise the situation. Eck, Luther's opponent in the dispute about indulgences, and hence a partisan, presents the sentence pronounced against his opponent. It is a condemnation for heresy, hence a matter of life and death. An insignificant university lecturer, acting as apostolic nuncio, demands the obedience of bishops who are also princes and profoundly conscious of that fact. From the point of view of formalities, everything was in order, but those prelates resented Eck's manner, and from the Reuchlin controversy there still lingered an impression that these condemnations of doctrines and books were not irrevocable. However, they overlooked the fact that in the present instance the highest authority had pronounced sentence in a matter of faith. Ecclesiastical politics were conducted not by the theologians, who for the most part saw clear, but by the jurists,<sup>3</sup> and in the case of not a few of these, such as Jung, the Vicar General of Freising, and Gabriel, Bishop of Eichstätt, one senses the after-effects of their schooling by canonists like Decius and Gozzadini. Bishop Gabriel gave it as his opinion that the public burning of Luther's writings would only widen and deepen the disagreement, which could not be the

<sup>1</sup> Böcking, *Ulrich Hutteni Opera*, VOL. V, pp. 303-31.

<sup>2</sup> According to the above-mentioned works of Kalkoff and Schottenloher the episcopal mandates for the publication of the Bull bear the following dates: Eichstätt, 24 October 1520; Augsburg, 8 November 1520; Ratisbon, 4 January 1521; Würzburg, 31 January 1521; Vienna, 17 February 1521; Naumburg, 10 March 1521.

<sup>3</sup> In its memorial for Archbishop Albrecht dated 17 December 1517, the theological faculty of Mainz declined to pass judgment on Luther's theses on the ground that they trenched on the authority of the Pope; *Z.K.G.*, XXIII (1902), p. 266 f. The hesitation of the Leipzig faculty with regard to the Disputation (Gess, *Akten und Briefe*, VOL. I, pp. 40 ff.) may be explained at least in part in like manner. The counter-theses of the Frankfurt professor Wimpina are included in Köhler's edition of the 95 theses (see above, p. 170, n. 4). The judgments of the Universities of Cologne, Louvain and Paris will be discussed later.

intention of the Pope. He also pleaded for a final effort to keep the dispute within the boundaries of the scholastic world.<sup>1</sup>

In point of fact it is difficult to deny that it was a mistake to exclude the German episcopate altogether from the proceedings against Luther. That Eck himself felt this appears from the circumstance that he suggested to the Roman authorities that it would add to the solemnity of the Bull of Condemnation if the signatures of the cardinals and bishops actually at Rome were appended to it.<sup>2</sup> In that case it would be received more readily in Germany. However, by the time the Bishop of Eichstätt and the University of Vienna suggested the concurrence of the episcopate the road was already blocked, for Rome herself had spoken. The proposal of the theological faculty of Leipzig to submit the controversy on indulgences to a provincial synod was sent to the wrong address and had not been considered.<sup>3</sup> However, even if a synod of this kind had been convened, Archbishop Albrecht of Mainz was not the man to steer into the right channel a problem which, in addition to its intrinsic theological complexity, also raised questions of politics. For ever in financial straits by reason of his expensive tastes, and consumed with the ambition to win for himself in the ecclesiastical sphere of Germany a position such as Cardinal d'Amboise had occupied in France and Cardinal Wolsey was still enjoying in England, the Archbishop swayed between anger at the loss of revenue from the indulgence owing to Luther's activities and resentment against the Curia on account of its reserve in respect of his appointment as legate for Germany. He accordingly lent a willing ear to his adviser, Capito, a man of decided Lutheran sympathies. The Archbishop assumed a heavy responsibility when he refused to take a single step against Luther during the whole of 1518. In the sequel also his greatest anxiety was to avoid rousing public resentment by proceeding against him.<sup>4</sup>

Thus we encounter once more the second obstacle to the execution of the Bull *Exsurge*—public opinion. In the public places of the cities resistance to the Roman sentence was no less strong than in the offices

<sup>1</sup> On 8 November 1520 Gabriel von Eyb writes (*Münchner Sonderblatt*, 1880, p. 584): "Denn uns getreulich laid ist, das durch Luther und Ecken dies sachen so weit gewachsen, und ganz dafür haben, das unsers heiligen Vaters des bapsts so hoch fürnehmen nit sei."

<sup>2</sup> Eck to an unknown correspondent, 3 May 1520, Böcking, *Hutteni Opera*, vol. v, p. 342 f.

<sup>3</sup> Gess, *Akten und Briefe*, vol. I, pp. 49 ff.

<sup>4</sup> P. Kalkoff, "Die Beziehungen der Hohenzollern zur Kurie unter dem Einfluss der lutherischen Frage", in *Q.F.*, ix (1906), pp. 88-139; *Aleander gegen Luther* (Leipzig-New York 1908), p. 114 and *passim*.

of bishops and princes. Luther's German writings had stirred the heart of the people. His book *Freiheit des Christenmenschen* alone went through twenty-three editions. From the very day on which he nailed up his theses the nation had come to look upon him as its champion in the fight against the abuses of both the Curia and the native clergy; and now that man was condemned and banned! Against such an injustice, as they saw it, the more progressive section of the people protested with unprecedented vehemence. Luther's pamphlet *Wider die Bulle des Endchrists*, in which he gives full vent to his hatred of the Papacy, gave a lead to a whole line of pamphleteers.<sup>1</sup> The literary creation of *Karsthans* was the typical figure of the German citizen—honourable, homely, but dull—whose affection for his very own Luther was not to be shaken even by the most striking arguments of a divine like Murner.<sup>2</sup> No! he would stick to his man! At the same time as Luther, in his book on *The Church's Babylonish Captivity* did away with five of the seven sacraments, proclaimed the universal priesthood of the laity in his pamphlet on private Masses, and in his *Assertio* reiterated the condemned propositions in even bolder terms, thereby opening the eyes of trained theologians to the real character of his teaching,<sup>3</sup> that section of the nation which was intellectually most alive hailed him as the great reformer.<sup>4</sup> In his *Appeal to the nobility*, written

<sup>1</sup> For guidance in the pamphlets collected by O. Schade, *Satiren und Pasquille der Reformationszeit*, VOLS. I-III (Hanover 1856-8), O. Clemen, *Flugschriften aus den ersten Jahren der Reformation*, VOLS. I-IV (Leipzig 1907-11), and in the reprints of German works of the sixteenth and seventeenth centuries (begun in 1877), see also besides Goedeke's *Grundriss zur Geschichte der deutschen Dichtung* (2nd edn. Dresden 1881), VOL. II, pp. 213 ff., W. Lücke in *Deutsche Geschichtsblätter*, IX (1908), pp. 183-205. A selection of texts is found in A. E. Berger, *Die Sturmtruppen der Reformation* (Leipzig 1931.)

<sup>2</sup> *Karsthans* was composed at the close of 1520 and printed at the beginning of 1521; text in Clemen, *Flugschriften*, VOL. IV, pp. 1-133; its attribution to Joachim Vadian is not free from uncertainty. Aleander's opinion "tota Germania infecta est ex odio potius Romanae curiae et ordinis ecclesiastici quam quod Luthero consentiant" (Kalkoff, *Aleander gegen Luther*, p. 137) is correct, but it must be borne in mind that Luther embodies both these tendencies so that it was possible for Chiericati to get the impression at the beginning of 1523 "che la sola cosa di Luther ha tanti radici qui che mile homeni non bastaria ad sradicarla non che io che sono solo"; letter to Isabella Gonzaga, 10 January 1523, in Morsolin, *F. Chiericati* (Vicenza 1873), pp. 111 ff.

<sup>3</sup> Glapion, the Emperor's confessor, confided to the Saxon chancellor Brück that when he read the *Captivitas* he felt as if he had been whipped from head to foot; *R.T.A.*, VOL. II, p. 478; cf. the corresponding observation of Quiñónez to Pellican; *H. J.*, XVII (1896), p. 52.

<sup>4</sup> The pamphlet *Von dem Pfründenmarkt der Curtisanen und Tempelknechte* written in September 1521, states that for the last two hundred years the clergy had opposed a reform. Schade, *Satiren*, VOL. III, pp. 59 ff.

in the summer of 1520 while still under the influence of his recent condemnation, Luther outlined a programme of Church reform with which he put himself at the head of the anti-Roman<sup>1</sup> and anticlerical<sup>2</sup> movement in Germany. The appeal was also intended as a programme for a Council.<sup>3</sup>

For anyone acquainted with the reform literature of the late Middle Ages this small work scarcely provides anything really new,<sup>4</sup> apart from the nationalistic strain which runs through it. On the other hand the doctrinal errors on which many of its proposals rest are carefully masked. With regard to the reform of the Pope—that most sensitive point of all previous reform programmes—Luther's chief concern is that he should be unpolitical. The Pope should give up the portion of the States of the Church north of the Apennines lest these territories involve him in high politics, as Julius II had been involved. Let him renounce the *Monarchia sicula* as well as all claims based on Constantine's Donation, for the latter document is so clumsy a forgery that a drunken peasant could lie more cleverly. In Luther's opinion the *translatio imperii* was bought at too high a price. In any case the Pope's right to crown the Emperor does not imply that he is the Emperor's overlord.

As for the officials of the Curia, Luther's opinion is that ninety-nine per cent of them might disappear without loss to the Church. A staff of officials with a fixed salary would suffice to deal with all the ecclesiastical affairs which may remain within the Pope's competence. The College of Cardinals must be reduced to twelve members. The payment

<sup>1</sup> The strongest in this sense is Hutten's *Vadiscus*; Böcking, *Hutteni Opera* VOL. IV, pp. 145-261, composed during the course of the process in 1520.

<sup>2</sup> Here too one example must suffice. The *Schöne Dialogus* was probably written by Martin Bucer in 1521 and disseminated in thirteen editions; cf. A. Götze, "Martin Butzers Erstlingsschrift", in *A.R.G.*, IV (1906), pp. 1-64.

<sup>3</sup> *L.W.*, VOL. VI, pp. 404-69. The first edition of 4000 copies was sold out in five days (18-23 August 1520). E. Kohlmeyer's opinion, *Z.K.G.*, XLIV (1925), pp. 582-94, that in the second part of the work (pp. 427 ff.) Luther places the secular authorities in the foreground as being the executants of reform seems to me preferable to that of W. Köhler, *Z.Sav.R.G.K.A.*, XIV (1925), pp. 1-38, who holds that all the proposals for a reform in this section are also intended for the Council. Kohlmeyer's further hypothesis that there are two drafts of the work seems to me superfluous. It was perfectly natural that on hearing of his condemnation while at work on the book Luther should have adopted an increasingly "radical" tone towards the Papacy.

<sup>4</sup> Many tracts of the reform period demanded a reduction of the number of the cardinals to 12, 18 or 24. The latter number had also been demanded by the Council of Basle in its twenty-third session. The annual income of 1000 florins which Luther described as adequate had already been suggested by D'Ailly. Cf. *R.Q.*, XLIII (1935), pp. 87 ff.; *ibid.*, XLIV (1936), pp. 249 ff., on the proposals for a reduction of the religious orders.

of annates must cease; so must the reservation of benefices, particularly the *reservatio pectoralis*, as well as the exemptions, together with the cumulation of benefices and the legal quibbles by which these abuses are made possible, likewise all regresses, unions and incorporations. The right of nomination to benefices must be restored to the bishops and their ordinary authority recognised so that they should not continue to be mere helpless figure-heads (*Ölgötzen*). Their relations with the Holy See are to be considerably eased. In future they must seek confirmation from the metropolitan and no longer take the oath of obedience prescribed by Canon Law. Secular disputes, and even ecclesiastical ones of minor importance, must no longer be called to Rome, but disputes between archbishops are reserved to the Pope in view of his supreme authority (*Ubirkeit*). The primate of Germany is to be assisted by a supreme tribunal which will deal with problems connected with benefices.

The number of orders must be restricted. Those monasteries which are allowed to remain must be reformed in the spirit of their founders. All religious must refrain from begging. Papal dispensations, especially dispensations from marriage impediments in the third and fourth degrees and spiritual relationship, are abolished. Excommunication is only operative in the spiritual sphere; interdicts and other censures must not be used at all. Saints' feasts are transferred to Sundays. Pilgrimages to Rome must be controlled and certain pilgrimages at home, such as that to the "Beautiful Madonna" of Ratisbon, must be suppressed. The number of foundation Masses is to be limited. Each community chooses its own parish priest. In order to put an end to certain moral abuses the Council must leave priests free to marry.

The reform of the laity must go hand in hand with that of the clergy. Luther is anxious to remedy the abuses of an early capitalist system which injure and irritate the small man, such as the luxuriant growth of commercialism, the trading companies, loans at high interests extravagance in dress and the artificial creation of new necessities. These proposals for a reform are seasoned with many a sally against the luxury of Pope and cardinals, the trade in benefices in the "warehouse" of the Dataria and the Fuggers' connexion with it, as well as with exaggerated assertions, or such as could only be proved with difficulty, for instance that the Pope's total revenue from the curial benefices amounted to a million ducats a year; that from Germany alone three hundred thousand ducats annually flowed to

Rome.<sup>1</sup> All this was accompanied with a robust invitation to self-help. The people were invited to throw the emissaries of the Roman court unceremoniously into the nearest stream together with their letters of appointment to benefices in Germany.

The most grievous accusation of all was that covetousness had betrayed the Popes into breaking their own laws and that a similar motive stood in the way of a reform. This accusation was but an echo of the radical writings of the advocates of the conciliar theory in the period of reform.

The positive proposals for reform are addressed to a future Council, but at the same time Luther urges the German nobility, that is the princes, to take their execution into their own hands, in other words to see to it that a *recht frei Concilium*, a really free Council, was convened. The practice of antiquity shows that the Emperor is entitled to convoke a Council. The doctrine that the Pope alone can do so is one of the three walls that bar the road to a true reformation. If the Pope gives scandal and opposes the convocation of a Council with a view to preventing the "amendment" of the Church, no notice need be taken of him for "there is no authority in the Church except for its better estate".

The circle is thus complete. While Luther's revolutionary errors, such as the denial of primacy, the doctrine of universal priesthood and the principle of the Bible as the only basis of faith, are skilfully kept in the background so that only the initiated are aware of their presence, the book proclaims the old principle of the conciliar theory and accepts its teaching on the convocation of a Council in an emergency. The new revolutionary ideas mingle with the old familiar ones and hide their true nature beneath them. This "restorer" of the religious and ecclesiastical life, this German "reformer", was the object of the enthusiasm of the people in the decisive years between 1520 and 1522. It was a plunge into the unknown, a break-up of the order on which

<sup>1</sup> Even when one bears in mind the difficulty, not to say the impossibility, of ascertaining the revenues accruing from spiritual sources, and leaving those from the Papal States on one side, these sums are fantastic. The Venetian envoy Gradenigo, basing himself on observations made under Leo X, estimated the total income of the Pope at fully 500,000 scudi, of which 200,000 came from the Dataria and other ecclesiastical dues. Albèri, *Relazioni*, VOL. II, iii, p. 72; Hofmann, *Forschungen*, VOL. I, p. 98, reckons the income of the Dataria alone at 144,000 scudi for the year 1525. However, it must be remembered that a large part of the money that flowed to Rome went to the officials in the form of taxes, and to that extent these sums did not appear in the papal balance-sheets. More will be said on this subject in Ch. IX.

the world had rested until then. However, the fixed star of the Council still shone in the sky.

Did Luther seriously look to that luminary? How can the two conciliar manifestos of 1520—the pamphlet on reform addressed to the nobility and the appeal to a Council—be reconciled with his standpoint at the Leipzig disputation in the previous year? What is certain is that in the summer of 1518 Luther still regarded a Council as the supreme and infallible authority in matters of faith. “As long as a Council does not condemn my view of the efficacy of indulgences”, he wrote in his reply to Prierias,<sup>1</sup> “I am not a heretic and am entitled to defend my opinion as a theologian quite as much as the Dominicans are entitled to defend their doctrine of the preservation of the Blessed Virgin from original sin, though by maintaining it they are at variance with the Council of Basle.” In the “Resolutions” written at this time and added to the ninety-five theses, he defines his standpoint even more clearly: “A Council alone, not the Pope, defines what must be believed. In the hypothesis of the Pope maintaining a specific doctrine with the approval of a part of the Church—hence not the whole Church as represented in the Council—it is no heresy to teach the opposite as long as a General Council has not issued a decision.”<sup>2</sup>

This assertion is undiluted conciliar theory: it is condemned in article 28 of the Bull *Exsurge*. At the Augsburg interrogation Luther therefore quite logically sided with the “Gersonites” and the University of Paris against Cajetan.<sup>3</sup> In his first appeal he accordingly stated that in matters of faith a Council was above the Pope. Up to this moment Luther continued to regard a Council as the highest visible teaching authority in the Church. But this conviction vanished when, in his sermon on excommunication, he unfolded for the first time his new conception of the Church, of which universal priesthood and the principle of the Scriptures were the corner-stones, and abandoned the notion of the Church as an institution founded by Christ for man’s

<sup>1</sup> *L.W.*, VOL. I, pp. 655 ff. For what follows see Th. Kolde, *Luthers Stellung zu Konzil und Kirche bis zum Wormser Reichstag* (Gütersloh 1876). I have not been able to consult W. Köhler, *Luther und die Kirchengeschichte*, VOL. I (Erlangen 1900), and O. Starck, *Luthers Stellung zur Institution des Papsttums von 1520-46 unter besonderer Berücksichtigung des ius humanum* (Dissertation, Münster 1930).

<sup>2</sup> *L.W.*, VOL. I, p. 568 (concl. 20) and p. 582 (concl. 26).

<sup>3</sup> Preface to the *Acta Augustana*, *L.W.*, VOL. II, p. 8. He also observes that Cajetan’s teaching on the primacy was “nova in auribus meis”. The passage in the first appeal reads: “Cum satis sit in professo (hence a universally held doctrine!) sacrosanctum concilium in Spiritu Sancto legitime congregatum s. ecclesiam catholicam repraesentans, sit in causis fidem concernentibus supra papam.”



salvation and endowed with authority over the human conscience and guided by a hierarchy culminating in the Papacy.<sup>1</sup> No room was now left in his system for a General Council invested with supreme authority as conceived by the conciliar theory. Just as the Papacy merely discharged certain regulating functions in the visible community of the faithful, and that solely on the basis of a human ordinance confirmed by tradition, so may the Council continue to regulate Church discipline, but it cannot decide authoritatively what the faithful must believe. From now onwards Luther's supreme canon in matters of faith is Holy Scripture; only in so far as the decisions of a Council are founded on it, or, more accurately, in so far as they agree with his interpretation of Scripture, is he prepared to accept them. In other words, he does away with the infallibility of a Council in matters of faith.<sup>2</sup> But this does not yet imply a rejection of the whole idea of a Council. For the time being he may have thought that a reform Council would take more than one measure in accordance with his demands for reform. It was only two decades later, at a time when the Lutheran opposition Churches had attained their full development, that he found it necessary to circumscribe even this sphere of a Council's activity. But even then he stuck to the old principle of conciliar theory that the Pope must be subject to a Council if there is to be reform at all.<sup>3</sup>

In 1520, therefore, the rejection of the Catholic conception of the Church did not as yet prevent Luther from appealing to a reform Council. In his view such a Council was a gathering of Christendom, summoned by the Emperor, at which clergy and laity would co-operate for the purpose of putting an end to the abuses in the Church, especially those prevailing in the bitterly hated Roman Curia. The co-operation of the Emperor and the secular authorities in the reform of the Church,

<sup>1</sup> Out of the vast literature on Luther's conception of the Church I mention K. Holl, *Die Entstehung von Luthers Kirchenbegriff: Gesammelte Aufsätze zur Kirchengeschichte*, VOL. I (Tübingen 1927), pp. 288-325, because he has collected all the material pertaining to the first period. As always with Holl, the interpretation is shrewd but over-simplified.

<sup>2</sup> This opinion finds its clearest expression in the *Disputatio de potestate concilii* held in 1536; *L.W.*, VOL. XXXIX, i, pp. 184-97. In theses 3, 5, 12 and 16 Luther rejects the assistance of the Holy Ghost and the formula describing the Council as "in Spiritu Sancto legitime congregatum" together with the idea that the Council is a "representation" of the whole Church. It is one of Luther's many inconsequences that in 1539, in his *Von den Konziliis und Kirchen*, *L.W.*, VOL. L, pp. 549 ff., 606, he assigns to the Council, "as to the supreme judge and greatest bishop", the duty of defending the ancient faith and repressing heresies, though it may not lay down new articles of faith.

<sup>3</sup> *L.W.*, VOL. L, pp. 619 ff. Above all the Council may not order any new "good works", e.g. new feast and fast days. The ordering of Church discipline must be left to the parochial clergy! *L.W.*, VOL. L, p. 609.

above all the convocation of a Council by them, was connected with certain canonistic views and carried a step further certain political-ecclesiastical tendencies with which we are already acquainted. The only new thing was the extent of the competence assigned to the laity and its justification by the new conception of the Church. It was precisely this circumstance that escaped the notice of people unacquainted with theology and with Luther's Latin writings. These people had the impression that Luther was pressing for the long-desired great reform Council which had been clamoured for throughout a whole century. On this point they were in full sympathy with him: the word "reform" masked the heresy and the nascent schism.

We are thus in presence of a fact of fundamental importance both for the further course of the Reformation and for the history of the idea of a Council. Luther's, and his adherents', assertion that they wanted to reform the Church and that the papal sentence against them was dictated by fear of such a reform, found credence with a great number of Catholics, particularly among the laity, because they entertained the erroneous notion that the last word on Luther's teaching had not been spoken as long as a General Council had not pronounced upon it. As a result of this widespread error on the bearing of the papal condemnation, decades went by before it was generally realised that the Lutheran movement would lead to a permanent split in the Church.

Before all else it is necessary to rid ourselves of the notion of a sharply defined cleavage between Catholics and Protestants from the very first years of the movement.<sup>1</sup> At the Diets of Worms and Nuremberg the party of Duke Ernest were Luther's only patrons; all the other princes were convinced Catholics and the papal nuncio Aleander judged them solely according to their tractability in ecclesiastical-political questions.<sup>2</sup> Measures taken at the time by this or that prince which seemed to favour Luther were no evidence of disloyalty to the Catholic Church.<sup>3</sup> The war of the peasants opened the princes' eyes far more effectively than the Bull *Exsurge*. There were excellent laymen at the

<sup>1</sup> H. Holmquist, *Die schwedische Reformation* (Leipzig 1925), p. 18, justly observes: "It is easy for us to trace back the division between Catholicism and Lutheranism to the very beginning when it only existed in the intrinsic consequences of ideas but not in actual fact".

<sup>2</sup> The *Libellus de personarum conditione* was published and discussed by P. Kalkoff, *Aleander gegen Luther*, pp. 111-40; on Count Palatine Louis V, see p. 128.

<sup>3</sup> Cf. e.g. G. Kattermann, *Die Kirchenpolitik Markgraf Philips von Baden 1515-33* (Lahr 1936). Up till 1525 Philip favoured Lutheranism and hoped for a Council; at a later date he reverted to Catholic principles.

time, such as the jurists Scheurl<sup>1</sup> and Zasius,<sup>2</sup> who had been temporarily won over to Luther's side by some of his writings and who only turned from him when the study of his later writings and their personal observation of their practical result convinced them that here there was question of heresy and revolution. On the other hand, even Protestants readily grant<sup>3</sup> that the authors of the numerous pamphlets which so greatly fostered the progress of the Lutheran movement adopted with enthusiasm the ideas of reform as laid down in the appeal to the nobility while they showed but little understanding for the theological considerations on which they were based. Though these writers took up Luther's cause, they were by no means "evangelicals" in the later sense of the term. As late as 1524 so convinced a Lutheran as Lazarus Spengler sought to keep up the fiction that the controversy about Luther was no more than a contest of divines, a dispute about particular opinions which, given good-will on the part of the Church, could be tolerated in the same way as the opinions of Albertus Magnus and Thomas Aquinas, Scotus and Ockham had been tolerated.<sup>4</sup> In the eyes of many of their contemporaries Luther's Catholic opponents who endeavoured to show his errors, men like Eck, Emser, Fabri, Cochlaeus, were just quarrelsome, hair-splitting defenders not of Catholic truth, but of a bad cause.<sup>5</sup>

<sup>1</sup> On 18 February 1519 Scheurl wrote to Eck that with Luther the problem was the reform of theological teaching and the rediscovery of St Paul, *Briefbuch*, VOL. II, p. 83. On the appearance of the Bull of Excommunication he wrote to his friend Beckmann, at that time a professor at Wittenberg: "Ego spectator horum", and added with emphasis, as against Eck "omnes nos unius tantum Christi factionis", *Briefbuch*, VOL. II, pp. 114 f., 117. On the evolution of Pirkheimer and Dürer, see Grisar, *Luther* (Freiburg i.B. 1911-12), VOL. I, pp. 360 ff. Eng. edn. London 1913-17.

<sup>2</sup> Most revealing are the letters to Zwingli dated 13 November 1519 and 16 February 1520, *Corp. Ref.*, VOL. XCLV, pp. 218 ff., 265 ff.

<sup>3</sup> G. Blochwitz, "Die antirömischen deutschen Flugschriften der frühen Reformationszeit in ihrer religiös-sittlichen Eigenart", in *A.R.G.*, XXVII (1930), pp. 145, 254, is of opinion that even writers like Heinrich von Kettenbach, Hartmut von Kronberg and Martin Bucer continued to hold many truths of the Catholic faith. With most writers the accent is on the fight against Rome and the clergy.

<sup>4</sup> *Verantwortung und Auflösung etlicher vermeintlicher Argumente*, Clemen, *Flugschriften*, VOL. II, p. 355. Even after the Bull *Exsurge* had become public Spengler continued to deny the Pope's right of passing final judgment on Luther's teaching; this could only be done by a "rechts ordentliches Konzil"; cf. H. von Schubert, *Lazarus Spengler und die Reformation in Nürnberg* (Leipzig 1934), pp. 219, 250 ff. In his final volume Schubert—against Kalkoff—corrects the erroneous attribution of several anonymous pamphlets to Spengler. *Die Reformation in der Reichsstadt Nürnberg nach den Flugschriften ihres Ratsschreibers Lazarus Spengler* (Halle 1926).

<sup>5</sup> Examples: *Ein schöner Dialogus* (1521), Schade, *Satiren*, VOL. II, pp. 119-27; *Die lutherische Strebkatz* (1524-5), Schade, *Satiren*, VOL. III, pp. 112-35; to say nothing of *Eckius desolatus* and the filthy satires in Gussmann, *Quellen und Forsch.*, VOL. II, pp. 199 ff.

Luther's adherents emphatically denied any intention to break with the Church nor would they admit that they were actually cut off from her. As late as 1530 Melanchthon stated his conviction that he did not diverge from the Catholic Church on a single dogma. To the end of his life he claimed to be a Catholic and he was wont to issue to the ordinands of Wittenberg a certificate that they believed the teaching of the Catholic Church.<sup>1</sup> The princes and the town councillors in particular looked on the religious changes introduced by Luther as a restoration of true primitive Christianity, hence as a reform of the one true Church. At the Diet of Augsburg the Elector John of Saxony indignantly rejected the accusation that the Protestants had separated themselves from the Church.<sup>2</sup> When invited to attend the council of Mantua, the Estates of Schmalkalden affirmed their loyalty to the true Catholic Church from whose unity they would not be parted.<sup>3</sup> No less a man than Cardinal Campeggio clearly diagnosed the danger implicit in the Protestant claim, and it was precisely because of this danger that he opposed every concession and every form of toleration, lest Catholicism and Lutheranism should come to be regarded as parallel representations of the Church (*come due fedì*).<sup>4</sup>

Erasmus's humanism contributed not a little, at least in the beginning, to obscure the divergences. A pamphlet of the year 1521 entitled *Lamentationes Petri*, and inspired by him, still regards Luther as the restorer of the Church in the spirit of Holy Scripture and the Fathers and as the continuator of Erasmus's own work.<sup>5</sup> For a while

<sup>1</sup> *Corp. Ref.*, VOL. II, pp. 170, 431; VOL. VIII, p. 664; cf. also Pastor, *Reunionsbestrebungen*, p. 13. In October 1530 Oecolampadius wrote to the Waldensians that their confession was "plane catholica et a nobis quoque recepta", E. Stählin, *Briefe und Akten zur Geschichte Ökolampads*, VOL. II (Leipzig 1934), p. 511. At the "colloquium" of Ratisbon Bucer went so far as to contest the Catholics' right to describe themselves by this name because they—the Protestants—were the real "catholics", "Tagebuch des Grafen Wolrad zu Waldeck", in *A.R.G.*, VIII (1910), p. 183. Further details on the use of the term "Catholic" by Luther, Melanchthon and Calvin are supplied by F. Heiler, *Urkirche und Ostkirche* (Munich 1937), pp. 8-13.

<sup>2</sup> Bucholtz, *Ferdinand I*, VOL. III, p. 481. W. Köhler's observation in his *Luther und Luthertum in ihrer weltgeschichtlichen Auswirkung* (Leipzig 1933), p. 65, is particularly true of the laity: "on the Protestant side no one thought of a separation from the Catholic Church; they meant to remain on the terrain of a common Christian society as during the Middle Ages; all they wanted was a reform".

<sup>3</sup> *C.T.*, VOL. IV, p. 78. This is not to deny that a political tendency was connected with the claim; it was even more marked in the Austrian Estates in 1562, when they described their religion as the true Catholic Church cleansed from abuses. K. Eder, *Glaubensspaltung und Landstände in Österreich ob der Enns* (Linz 1936), p. 103.

<sup>4</sup> Lämmer, *Mon. Vat.*, p. 124 f.

<sup>5</sup> O. Clemen, "Die Lamentationes Petri", in *Z.K.G.*, XIX (1899), pp. 431-48. Similar ideas are found in the dialogue *Die göttliche Mühle*, written in Switzerland in 1521. Schade, *Satiren*, VOL. I, pp. 19-26.

Erasmus sought to prove that the Bull *Exsurge* was surreptitious and invalid.<sup>1</sup> In the *Acta Academiae Lovaniensis* he maintained that Luther's teaching went back to Augustine, Bernard of Clairvaux, Gerson and Nicholas of Cusa; hence he brushed aside his first literary opponents, men like Prierias, Radinus, Cajetan and Alveld on the plea that they were little more than base flatterers of the Pope. The representatives of the new culture were warned of impending danger, "when fanatics like Hochstraten, the inquisitor of Cologne, are at liberty to condemn any one they please, without obligation to furnish evidence!"

Long after Erasmus had definitely broken with Luther, many of his followers, though they too would have nothing to do with the innovator, nevertheless failed to appreciate the greatness of the divergence. Thus in 1540 the above-mentioned Christoph Scheurl, a member of the city council of Nuremberg and a friend of Eck and Witzel, admitted that many Catholic practices had been suppressed in his home-town, to the detriment of religious life, but comforted himself with the thought that baptism, the Eucharist and whatever is necessary for salvation had been retained.<sup>2</sup> We shall see later on that it was this mental attitude that gave birth to the policy of the "religious colloquies".

The broad mass of the people in town and country was not fully aware that they had been torn from the Catholic Church by Luther's action. His shrewdly calculated conservatism with regard to the outward forms of the Catholic liturgy deceived many church-goers about the dogmatic bearing of the changes that had been introduced, so much so that even as late as 1535 the nuncio Vergerio observed, on the occasion of his visit to Wittenberg, that Catholic vestments were still in use there.<sup>3</sup> In the parish church of Wittenberg the elevation of the Host at the consecration—a ceremony at variance with Lutheran theology—continued until 1542.<sup>4</sup> Many Lutheran directories retained the use of

<sup>1</sup> P. Kalkoff, "Die Vermittlungspolitik des Erasmus und sein Anteil an den Flugschriften der ersten Reformationszeit", in *A.R.G.*, I, (1903), pp. 1-83; *ibid.*, German translation of the *Acta Acad. Lovan.*; a new edition by Ferguson, *Erasmi opuscula*, pp. 316-28.

<sup>2</sup> Scheurl to an unknown correspondent, 4 December 1540, *Briefbuch*, VOL. II, p. 246.

<sup>3</sup> *N.B.*, VOL. I, I, p. 545.

<sup>4</sup> Grisar, *Luther*, VOL. II, p. 536 (Eng. edn., VOL. IV, p. 195, n.4). At Breslau the elevation of the Host was still in use in 1557, Sehling, *Die evangelische Kirchenanordnungen*, VOL. III, p. 404. A Lutheran calendar of feasts of a remarkably Catholic character is that of Teschen in 1584, *ibid.*, VOL. III, p. 461. Further instances in L. Fendt, *Der lutherische Gottesdienst des 16. Jahrhunderts* (Munich 1923), pp. 114 ff., 140 ff., 166 ff., 186 ff. In Silesia Moiban's Canon, which eliminated the sacrificial

Latin for parts of the Mass, as well as a whole series of feasts of the Blessed Virgin Mary and the Saints. In country districts in particular the people, on the whole, remained loyal to the parish priests and from the acts of visitation we learn how difficult it was, even about the middle of the century, to ascertain with complete certainty whether or no these priests were in sympathy with Lutheranism. Even in the case of those who had dropped certain Catholic practices and introduced Lutheran ones, such as Communion in both kinds, it was often doubtful whether they were convinced Lutherans, especially when one remembers how inadequate their theological training had been in most cases.<sup>1</sup>

However paradoxical it may sound, it is a fact that nothing furthered the schism more effectively than the delusion about its actual existence. This delusion was a dangerous fact which must be taken into account, an error that must be reckoned with, though not excused, if we would understand what actually happened. The German schism was a gradual drifting apart rather than a conscious process. To explain how a self-deception of this kind was possible is perhaps the most difficult problem in the history of the Reformation.

For the Catholic of today, firmly set as he is on the standpoint of the Vatican Council, the situation is perfectly clear: the Pope condemns Luther's preaching as heretical; the latter refuses to submit and is excommunicated; thereupon he and his adherents are cut off from the Church; what they describe as reform is the beginning of an opposition Church—a schism. For a large section of Luther's contemporaries the situation was not so simple. It was one of the fatal relics of the conciliar era that many people were not sufficiently clear in their own minds about the infallibility of the dogmatic definitions of the Pope. The Florentine Bull of Union which affirms the universal episcopal authority of the Bishop of Rome encountered some resistance even at Trent, both in regard to its authoritativeness and its interpretation. Theologians whose teaching on the primacy was in agreement with the Bull, from Torquemada to Cajetan, as well as the controversialists Prierias, Alveld,

character of the Mass, was distributed to the clergy of the parishes in the greatest secrecy; cf. A. Sabisch, "Der Messkanon des Breslauer Pfarrers Dr. Ambrosius Moiban", in *Archiv für schlesische Kirchengeschichte*, III (1938), pp. 98-126.

<sup>1</sup> Only one example! Konrad Stuffer, parish priest of Wissing, in the diocese of Eichstätt, accepted the ecclesiastical order of the Palatinate but celebrated the Catholic Mass in the neighbouring locality of Luppurg, heard confessions and gave Communion under both kinds. He was unmarried; *Archiv für Kulturgeschichte*, XII (1916) p. 385. At Würzburg the Lutheran parochial clergy continued to take part in rural conferences as late as 1582; cf. G. Freiherr von Pölnitz, *Julius Echter von Mespelbrunn* (Munich 1934), p. 336.

Eck, Murner and Catharinus,<sup>1</sup> were regarded by many, particularly by the jurists, as defenders of a scholastic opinion, not as witnesses to an acknowledged doctrine of the Church. Thus it came about that the Bull *Exsurge* did not lead to a definite parting of the ways, and although Luther's teaching evolved still further and became more clearly defined after its publication, the Bull remained the sole authoritative papal intervention in the Lutheran affair right up to the Council of Trent. On the other hand, as a result of the negligence and remissness of a whole century on the part of ecclesiastical authority, the catchwords "restoration", "reformation", had acquired an almost magical fascination which made possible the wide diffusion and rapid progress of the Lutheran movement.

In the decisive years of the period of the reformation, between 1521 and 1525, there was only one means, humanly speaking, of arresting the movement of secession, viz. a Council—a Council that would lay down with unquestionable authority the rule of faith for the benefit of the undecided, that would condemn those who had fallen away and strengthen those who remained faithful, a Council that would not only prescribe reform but would find ways and means to carry it through. Why did not the Popes have recourse to such an expedient? There were not wanting men who, in these first years of the reformation, fully appreciated the value of such a remedy. Even in the days of Leo X, Johann Faber, Prior of the Dominicans of Augsburg, urged in his *Ratschlag* that, without prejudice to the Pope's authority in matters of faith, Luther's affair should be entrusted either to a court of arbitration appointed by the Emperor and the Kings of England and Hungary, or to a General Council which should also be a reform council.<sup>2</sup> The Dutchman Aurelius of Gouda and the Spanish humanist Luis Vives besought Adrian VI to seek a solution by means of a Council. At the beginning of 1524 the Bishop of Breslau, Jacob von Salza, in a memorial addressed to Clement VII placed at the head of his list of measures against the innovators the early convocation of a Council, though he

<sup>1</sup> Scheurl says of Catharinus that his being a Dominican explained everything, *Briefbuch*, VOL. II, p. 126, while Hummelberger calls him a stubborn Thomist, *Z.K.G.*, XXXII (1911), p. 49. More will be said in Ch. VIII.

<sup>2</sup> N. Paulus, "Der Dominikaner Johann Faber und sein Gutachten über Luther", in *H. J.*, XVII (1896), pp. 39-60. The passage in question is on p. 57. Cf. also the same author's *Dominikaner*, pp. 292-313. Five Latin and four German printed editions are known to exist. Faber advocates practically the same ideas in the *Consilium* composed for Frederick the Wise during the Diet of Worms; *R.T.A.*, VOL. II, p. 484, n.2. On Erasmus's influence cf. Erasmus, *Epist.*, VOL. IV, pp. 357 ff., and Kalkoff in *A.R.G.*, I (1903), pp. 6-23.

deemed it necessary even thus early to justify its postponement.<sup>1</sup> That most selfless and most loyal adherent of the Holy See of all German princes as well as the most earnest advocate of a reform, Duke George of Saxony, never wearied of insisting on the double need of a reform of the Church and of a Council.<sup>2</sup>

All the same it would be a great mistake to infer from these appeals that in the Catholic camp a solution by means of a Council was universally understood to be the right one. The truth is otherwise. The majority of the qualified and unqualified counsellors who submitted their views to the Pope advocated other remedies against a movement which was becoming more and more alarming. Their only motive was that they were aware of the internal resistance and the external obstacles which stood in the way of the seemingly simple solution of a Council. They placed themselves, for the most part, on the legal standpoint—in itself an unassailable one—that Luther's affair had been disposed of by the condemnation of his teaching and his personal excommunication—and endeavoured to persuade the undecided to fall in with this view by furnishing evidence that Luther's particular opinions had all been condemned by earlier Councils.<sup>3</sup> What was needed was to enlighten public opinion and by carrying out reforms to snatch away the shield which the catchword "reform" provided for opponents. In 1521 Cardinal Albrecht of Mainz suggested a German provincial Council.<sup>4</sup> In a memorial addressed to Adrian VI in 1523, Eck linked this proposal with a detailed plan for a reform of the Curia and a draft for a new and more comprehensive Bull against Luther.<sup>5</sup> The Minorite Antony

<sup>1</sup> On Salza's proposals and the covering letter of 2 April 1542, see *Zeitschrift für die Geschichte Schlesiens*, LXII (1928), pp. 91 ff. Ehses published it, without the covering letter, in *H.J.*, XIV (1893), p. 834. At the disputation with Zwingli at Zurich 28 January 1523, the Vicar General of Constance, Johann Fabri, declared that the question of faith could not be discussed at that meeting; it should be examined "unter einer gantzen christlichen versammlung aller nation oder vor einem concilio der bischoffen unnd anderer gelerten, so man findt uff den hohen schulen", *Corp. Ref.*, VOL. LXXXVIII, pp. 491 ff. On the proposals of Aurelius Goudanus and Luis Vives see Ch. IX.

<sup>2</sup> L. Cardauns, "Zur Kirchenpolitik Herzog Georgs von Sachsen", in *Q.F.*, x (1907), pp. 105 ff.

<sup>3</sup> This thesis was defended at Worms by Eck and Vehus (Balan, *Monumenta*, p. 187; *R.T.A.*, VOL. II, pp. 555, 614 ff.) and later on became the "caeterum censeo" of the Curia; *C.T.*, VOL. IV, p. xli; Lämmer, *Mon. Vat.*, p. 64, and of the Augsburg "confutatores"; Ficker, *Die Konfutation des Augsburger Bekenntnisses* (Leipzig 1891), p. xlix.

<sup>4</sup> Balan, *Monumenta*, pp. 267-71.

<sup>5</sup> W. Friedensburg, "Dr. Johann Ecks Denkschriften zur deutschen Kirchenreformation", in *Beiträge zur bayrischen Kirchengeschichte*, II (1896), pp. 159-96, 222-53; the relevant passages are on pp. 189 ff.



Bomhauwer likewise advocates another Bull.<sup>1</sup> His memorial agrees with that of Johann Haner, the cathedral preacher of Würzburg,<sup>2</sup> in pleading that the grievances of the German nation against the Curia be met with reforms. It also recommends a systematic literary campaign to counter the propaganda of the innovators. The zealous Cochlaeus also looks for good results from such a counter-stroke. A foolish overestimation of his own ability tempts him to suggest that a private disputation with Luther would confound the widespread notion that the heretic had never been decisively refuted.<sup>3</sup> Even so experienced a politician as Cardinal Schiner makes no mention of a Council in his memorial to Adrian VI,<sup>4</sup> and the Dominican Archbishop Nicholas von Schönberg, who was held in high esteem by the Medici Popes and who by reason of his Saxon origin and his connexion with the country could be credited with expert knowledge, maintained even in the last years of Clement VII that a Council would no more put an end to the conflict than the use of force.<sup>5</sup>

We pass over the other Italian advisers of the Pope, to mention only the three best informed, all three men who had had an opportunity of studying the problems at close quarters in the course of their diplomatic missions in Germany. None of them—neither Cajetan, nor Campeggio nor Aleander—recommended a Council.<sup>6</sup> They only urged more or less drastic reforms by the Pope as an indirect means of countering the movement of secession. The imaginative, experienced Aleander would exhaust all the resources of diplomacy before recourse was had to the last remedy—force. Campeggio felt convinced from the very beginning of his second legation in 1530 that only the latter means—that is, a war of religion—would yield decisive results. All three knew that both Leo X and Clement VII were opposed to a Council—particularly

<sup>1</sup> J. P. Kirsch, "Vorschläge eines Lektors der Minoriten zur Bekämpfung der Häresie Luthers", in *H.ſ.*, x (1889), pp. 807-12.

<sup>2</sup> Balan, *Monumenta*, pp. 316-20 (5 January 1524). It is a curious circumstance that Haner should have become estranged from the Church in Catholic Würzburg and that he should have found his way back in Protestant Nuremberg. For his subsequent attitude see the letters to Duke George and Witzel, Döllinger, *Beiträge*, VOL. III, p. 105.

<sup>3</sup> Cochlaeus to Leo X, 19 June 1521, *Z.K.G.*, XI (1897), pp. 116 ff.

<sup>4</sup> Pastor, VOL. IV, ii, pp. 722 ff. (Eng. edn., VOL. IX, p. 472).

<sup>5</sup> Pastor, VOL. IV, ii, p. 423, n.6 (Eng. edn., VOL. X, p. 151, n.2); Kalkoff, in *Z.K.G.*, XXXI (1910), pp. 390 ff.

<sup>6</sup> *C.T.*, VOL. XII, pp. 5-17 (Campeggio); *C.T.*, VOL. XII, pp. 32-9 (Cajetan); Döllinger, *Beiträge*, VOL. III, p. 253 (Aleander). It is worth noting that Zaccaria Ferreri, the former adherent of the Pisan assembly, makes no reference whatever to a Council in his *Suasoria* printed in 1523 (now *C.T.*, VOL. XII, pp. 21 ff.).

Clement VII. Their theological and legal training enabled them to see clearly the great danger for the unity of the Church from a Council at which all the nations would be represented. Their diplomatic experience had taught them how difficult it would be to harmonise the divergent interests of the powers so as to further the aims of the Church. They had lived long enough at the Curia to be aware of its deep-rooted aversion for a Council and for conciliar reforms. It cannot be denied that considerable sections of the College of Cardinals and of the officials of the Curia were afraid of a Council because they knew that the nations would make a combined onslaught on their traditional administration of benefices and their financial system, with a consequent loss of income and an end of the luxurious style in which they were wont to live. In these circles it was thought that the problem of Luther could be solved by the simple expedient of calling him a whore-monger and a drunkard.<sup>1</sup> These silent but tough opponents of reform and a Council wielded great power, far greater indeed than official documents would lead us to believe. Their influence is made particularly evident when one surveys a period of some duration and examines impartially both the internal and the external history of events. To pass these things over in silence would be no less wrong than the one-sidedness of Sleidan, Sarpi and others,<sup>2</sup> who lay the blame for all the evils of the schism upon the alleged ill will of the Roman Curia and who refuse to make allowance either for any just reasons these men may have had, or for the concurrence of other factors.

<sup>1</sup> Jakob Ziegler to Erasmus, 16 February 1522, Erasmus, *Epist.*, VOL. V, p. 22, previously published by Kalkoff in *A.R.G.*, III (1906), p. 79. In his despatches Aleander bestows on Luther the epithets of "ladro, assassino, monstro, dracone, cane, pazzo", Balan, *Monumenta*, pp. 153, 164, 197, 237.

<sup>2</sup> Sleidan, *Zwei Reden*, ed. Böhmer (Tübingen 1879), pp. 111-21; Sarpi, *Istoria*, VOL. I, pp. 1-6 (ed. Gambarin, VOL. I, pp. 3-171). For the period of Adrian VI and Clement VII the narratives based on very questionable sources—in VOL. I, p. 36 f. (Soderini), p. 61 (consistory of 13—actually 19—September 1526), p. 79 (the fictitious discourse of Clement VII at Bologna), are characteristic of the man. For the much wider and more solid documentary basis of the historical background in Pallavicino, *Istoria del Concilio di Trento* (Rome 1656), VOLS. I-V, cf. H. Jedin in, *Der Quellenapparat der Konzilsgeschichte Pallavicinos* (Rome 1940), pp. 27 ff., 36 ff. The best modern survey of the background up to 1537 is provided by Ehses, *C.T.*, VOL. IV, pp. cvi-cxli. It furnishes the main basis for what Pastor has to say about the Council in VOLS. IV, II, and V (Eng. edn., VOLS. VII, VIII, XI and XII), as well as for the latest summary by R. Villoslada, "La Cristianidad pide un concilio", in *Razón y Fe*, CXXXL (1945), pp. 13-50. For L. Cristiani's account, *L'Eglise à l'époque du concile de Trente* (Paris 1948), see my review in *Rivista di storia della Chiesa in Italia*, II (1948), pp. 274-84. In the chapters of this book which now follow I have frequently been more concise than Ehses; on the other hand I have endeavoured to put in stronger relief not only the diplomatic negotiations, but likewise the internal religious and ecclesiastical evolution as well as public opinion as revealed in literature and private correspondence.

The fact remains that a Council did not come off betimes because Rome regarded it as a dangerous venture the issue of which was questionable; for that reason it refused to promote it energetically. Yet as things stood, only a Council could issue a decision on the controversy which all concerned would regard as undoubtedly binding in conscience. Moreover, a positive statement of the contents of the Catholic faith—which was no less urgently needed—if accompanied by an effective Catholic reform, would have cut the ground from under Luther's "reformation". Instead of a Council recourse was first had to the authority of the state. In the Edict of Worms the Emperor undertook to execute the Bull *Exsurge*; but he too was unable to enforce it because he became involved in a great war, and he did not reside in Germany. On their part, at the Diet of Nuremberg, the German Estates of the Empire demanded "a free, Christian council in a German land". The formula was calculated to act as a warning rather than as an invitation for, on the part of the Lutherans, it was but a thin disguise of conditions which were at variance with the hierarchical constitution of the Church. The Council was put off from year to year: Lutheranism spread on the wings of the spoken and the printed word; prince after prince, town after town "reformed" in the direction of the new teaching—the opposition Churches became organised bodies. Futile negotiations for a Council dragged on for years; the prospect of its convocation grew steadily dimmer. The first attempt of a new Pope to convoke it proved a failure; the Emperor's intervention led nowhere. With despair in their hearts those who remained loyal to the Church were forced to look on while a whole generation was growing up estranged from the Catholic faith and from Catholic piety and the seamless coat of Christ was being rent by an enduring schism.

## “A Free Christian Council in German Lands”

AFTER Luther's condemnation and excommunication for heresy by the Bulls *Exsurge* and *Decet Romanum Pontificem* it was the duty of the secular arm, in accordance with the medieval conception of the State, to co-operate in the execution of the sentence. However, Luther's sovereign, the Elector Frederick the Wise of Saxony,<sup>1</sup> found means to evade the Church's demand. Frederick was held in general esteem as a conscientious and pious prince. In his younger days he had made a pilgrimage to the Holy Land and in the chapel of his castle at Wittenberg he had collected an amazing quantity of relics. For all that, he could not be shaken out of his conviction that Luther stood for the true Catholic faith. On the advice of his court-chaplain and secretary, Spalatin, and the jurists Brück, Schurff and Planitz, he sought, as an adept in every political shift, to create an impression that he was not interested in the Wittenberg Augustinian—actually he had always avoided a personal interview with Luther—and that he was prepared, in principle, to let the law take its course. When on 4 November 1520, at Cologne, the nuncio Aleander, who had been despatched to the Emperor on a special mission in connexion with Luther's affairs, demanded the extradition of the culprit, Frederick bluntly refused on the plea that Luther had not yet been convicted. He ended by

<sup>1</sup> Kalkoff's view as summed up in his study “Friedrich der Weise, der Beschützer Luthers und des Reformationswerk”, in *A.R.G.*, xiv (1917), pp. 249-62, has been criticised by E. Wagner, “Luther und Friedrich der Weise auf dem Wormser Reichstag”, in *Z.K.G.*, XLII (1923), pp. 331-90, and defended by A. Koch, “Die Kontroverse über die Stellung Friedrichs des Weisen zur Reformation”, in *A.R.G.*, xxiii (1926), pp. 213-60. In my opinion Frederick the Wise was not merely a defender of his favourite creation, the University of Wittenberg, he was also a convinced adherent of Luther, though not a Protestant in the later sense of that word; on the contrary, he was under the delusion that he was righting an alleged wrong done to Luther and furthering a “reform” of the Church. His ideas were fundamentally orthodox and conservative. It is worth noting that Luther only married after Frederick was dead. For the wholly Catholic and medieval piety that prevailed at the court of the Elector of Saxony, see Kalkoff, *Abläss und Reliquienverehrung an der Schlosskirche zu Wittenberg unter Friedrich dem Weisen* (Gotha 1907). For the Elector's liberal support of religious activities as proved by his account books, see G. Buchwald, in *A.R.G.*, xxvii (1930), pp. 62-110. For a general impression, cf. P. Kirn, *Friedrich der Weise und die Kirche* (Leipzig 1926).

suggesting once more a court of arbitration presided over by the Archbishop of Trier. In point of fact, in view of the extent to which the Lutheran movement had spread in the meantime, the extradition of Luther's person would not have ended the matter. Aleander accordingly did all in his power to obtain from the Emperor the most comprehensive execution of the Bull *Exsurge*, in accordance with the law of the Empire.

In the person of Aleander<sup>1</sup> there enters upon the scene of reformation and Council the most controversial figure after Eck and the best-hated champion of papal policy. This humanist was born at Motta, in the territory of Venice. After lecturing for a time in Paris he entered the service of Erhard von der Mark, Prince-Bishop of Liège, and thus became acquainted with conditions in the Empire. More clearly than most he realised the danger that threatened the Papacy from the Lutheran movement. From the first he advocated a policy of iron determination against its adherents. His uncommon gifts both as a speaker and a writer, his multiple sources of information—even questionable ones—his tenacity and energy in the pursuit of his goal, seemed to promise the most complete success. But when compared with Morone, who was to play a role in German policy at a later date, and above all by comparison with Contarini, he lacked something that these men possessed: namely an intimate personal sense of the religious nature of the questions that were being decided in Germany. He only saw the revolt against the traditional order, the greed for Church property, but was blind to the silver streak of genuine, though misguided piety which was also to be found in the Lutheran movement. Hence during the whole of the two decades in which he influenced papal policy towards Germany, he pursued an intransigent line of action. At his first appearance in Germany the humanist in him laboured under a strong feeling of jealousy of Erasmus, whom he did his best to represent as the forerunner and accomplice of Luther. Yet the only thing that mattered just then was to detach Erasmus's followers from their leader. Aleander's burning ambition led him to stress in his

<sup>1</sup> For Aleander, in addition to his *Diarium* (H. Omont, *Journal autobiographique du Cardinal Aleander 1480-1530*, Paris 1896) and Friedenburg's introduction to his legatine reports of 1538-9, *N.B.*, VOL. I, iii, pp. 28-41, cf. especially the works of J. Paquier, viz. his collection of the sources: *Aleander et la Principauté de Liège* (Paris 1896); *Lettres familières d'Aleander 1510-40* (Paris 1909), and his biography up to 1529: *J. Aléandre de sa naissance jusqu'à la fin de son séjour à Brindes* (Paris 1900), and a résumé in *D.Th.C.*, VOL. I, pp. 693 ff. Whereas Kalkoff is inspired by positive hatred for Aleander, Paquier does his utmost to minimise his defects of character which are perceptible even after 1527 (cf. Morone's judgment, *N.B.*, VOL. I, iv, p. 222).

reports, with pitiful self-complacency, the dangers he underwent in the execution of his mission and his personal sacrifices, and to exaggerate his successes. Seen from the point of view of the politics of the hour, they were indeed extraordinary, but they are not so in the perspective of history.

Soon after his arrival at the imperial court, at his instigation severe measures were taken in the Low Countries against Luther's adherents and against his writings. During the festivities of Charles V's coronation at Aachen at the end of October, he submitted a preliminary draft for an imperial edict against Luther. By the 29th it had been passed by the Privy Council. It looked as if he had got all he wanted, when the Elector of Saxony protested against the proceedings on the basis of a clause in the imperial election capitulation which forbade the infliction of the ban of empire on a German subject without previous examination and trial by the common judge.<sup>1</sup> Frederick the Wise was the most highly respected prince of the Empire; two years earlier the Pope himself had deemed him worthy of the imperial crown. The Emperor's counsellors thought it would be a serious matter to alienate such a man on the eve of the Diet, all the more so when one took into account the feelings of the masses in favour of Luther and the threatening attitude of the Imperial Knights whom Hutten was inciting to revolt. Moreover, the tension between the Empire and France was growing. Chièvres, who had been the Emperor's tutor and was now his Grand Chamberlain, and the Lord High Chancellor Gattinara, saw in the proceedings against Luther, which the Pope had so much at heart, a possibility for a bargain for which a high price could be asked.<sup>2</sup> The edict was accordingly withheld.

The great Diet of Worms opened on 27 January 1521. From the first day the religious problem became its supreme preoccupation.<sup>3</sup> In

<sup>1</sup> *R.T.A.*, vol. I, p. 871. The applicability of art. 17 was questionable for it only forbade the passing of sentence on German subjects outside the boundaries of the German Nation and by other than their ordinary judges.

<sup>2</sup> Aleander's report of 19 March 1521, Balan, *Monumenta*, p. 131. For the bibliography on Chièvres see Brandi, *Quellen*, pp. 76, 81.

<sup>3</sup> There are two editions of Aleander's despatches, for us the most important sources of information on the Diet of Worms: Th. Brieger, *Aleander und Luther* (Gotha 1884), and Balan, *Monumenta*, with the supplements of Kalkoff in *Z.K.G.*, xxviii (1907), pp. 201-34; Kalkoff, *Die Depeschen des Nuntius Aleander vom Wormser Reichstag 1521* (2nd edn. Halle 1897); *id.*, *Briefe, Depeschen und Berichte über Luther vom Wormser Reichstag* (Halle 1898). The Acts proper in *R.T.A.*, vol. II, pp. 449-743. Bibliography: P. Kalkoff, *Die Entstehung des Wormser Ediktes* (Leipzig 1913); *id.*, *Der Grosse Wormser Reichstag von 1521* (Worms 1921); on the question of the Council at Worms, cf. K. Hofmann, *Die Konzilsfrage auf den deutschen Reichstagen von 1521-24* (Diss. theol., Heidelberg 1932), pp. 9-30.

the hope of inducing the Elector of Saxony to give up his opposition the Franciscan confessor of the Emperor, Glapion, suggested that they content themselves with an examination of Luther by a court committee and with a limited recantation. His aim was to prevent Luther's personal appearance at the Diet, but the attempt was frustrated.<sup>1</sup> Nor did Frederick the Wise allow himself to be persuaded by Aleander's moving and impressive discourse on 13 February to abandon his standpoint. Luther, he claimed, had not been refuted; he must be heard by the Diet, were it only to calm the people. The Elector of Brandenburg, Joachim I, opposed him sharply; a heated discussion ensued in which the two men came near drawing swords. The Saxon had his way. On 5 March a decree against Luther, drafted under Aleander's inspiration, was rejected by the Diet, which insisted on his being summoned to Worms.<sup>2</sup> Under pressure of the political considerations mentioned above, the Emperor gave way and granted Luther a safe-conduct, but at the same time he showed his real feelings by ordering the sequestration of his writings.<sup>3</sup>

Luther's summons to Worms was an undoubted defeat for Aleander, for though the Emperor had no intention whatever to take it on himself to check the papal decision, the citation of Luther for the purpose of questioning him on the authorship of the books circulating under his name and summoning him once more to recant nevertheless amounted to an inadmissible concession.<sup>4</sup> The citation was the first formal departure from the path of strict Canon Law. Aleander permitted it in order to prevent what he thought would be an even greater evil. "The whole world shouts 'Council, Council'." he reported to the vice-chancellor while the decisive negotiations were in progress,<sup>5</sup> and his

<sup>1</sup> The reports of the Saxon chancellor Brück who acted as intermediary, *R.T.A.*, VOL. II, pp. 477 ff. I see no reason to doubt Glapion's sincerity and I also regard his second attempt, at the beginning of April, to keep Luther away from Worms and to bring about a meeting with him at the Ebernburg, as sincerely meant, *R.T.A.*, VOL. II, pp. 537 ff.

<sup>2</sup> The drafts of 15 February and 2 March and the replies of the Estates, *R.T.A.*, VOL. II, pp. 507-26.

<sup>3</sup> *R.T.A.*, VOL. II, pp. 529-32.

<sup>4</sup> Thus quite accurately P. Rassow, *Die Kaiseridee Karls V* (Berlin 1932), pp. 32 ff., but in that case it is impossible to reduce the proceedings of Worms to a harmless "transference from the spiritual to the secular sphere while the accused is allowed to have the last word".

<sup>5</sup> "Ognuno domanda et crida (Brieger: 'strida'), concilio, et lo voleno in Germania"; and presently "El rumor di tutti in la dieta è di voler concilio, de disobedir Roma, de insurger contro il clero". Brieger, *Aleander und Luther*, pp. 48, 55; Balan, *Monumenta*, pp. 98, 103.

colleague Raffaele de' Medici added the observation: “Many among the great ones are of opinion that this affair must be investigated by a Council.”<sup>1</sup> These “great ones” were not to be exclusively found on the princes' benches at the Diet. The Grand Chancellor Gattinara, whose influence at the Diet was still further increased when Chièvres died, never wearied of repeating: “Without a Council we shall not master the heresy.”<sup>2</sup> The further ambiguous and pessimistic remark *Fata obstant*, from the lips of such a man was an only too significant warning for a sensitive diplomatist like Aleander. A memorial which has been preserved with the acts of the Diet<sup>3</sup> throws light on the views that had to be reckoned with on the part of the juristically trained councillors who crowded round the princes and bishops at the Diet: “A Council alone”, we read, “is in a position to ascertain whether Dr. Martinus has written against the faith; he has appealed to a Council and thereby tied the Pope's hands. Pius II's and Julius II's prohibitions are invalid because they are at variance with natural and divine law, as well as with the decrees of Constance, and they have not been recognised by the University of Paris.” Here we have another instance of undiluted conciliar theory! These were the very ideas with which the Papacy had had to contend ever since the Council of Basle. Hutten, a mortal enemy of Rome, sought to revive their popularity by publishing a new edition of a work dating from that period and of which he had found a copy in the Ebernburg. On the title page were blazoned the words: *Concilium, Concilium, Concilium!*<sup>4</sup>

These warnings of the impending storm were not lost on Aleander and he acted accordingly.

The circumstances of Luther's examination before the Emperor and the Diet on 17 and 18 April 1521 belong to history and are well known. On the first day he asked to be given time for reflexion. On the second he admitted he was the author of the incriminated books but refused to recant. The youthful Emperor was painfully impressed, so much so that on the following day he set down in writing the celebrated declaration that he was ready to stake his life and crown for the extirpation

<sup>1</sup> Balan, *Monumenta*, p. 53. The anonymous reporter is the nuncio Medici.

<sup>2</sup> Aleander's despatches of 28 February and 4 March, Brieger, *Aleander und Luther*, pp. 79, 87; Balan, *Monumenta*, pp. 78, 115. The next chapter will show that these statements of Gattinara were no feints as Hofmann imagines (*Konzilsfrage*, p. 22).

<sup>3</sup> *R.T.A.*, vol. II, pp. 534 ff.

<sup>4</sup> Weller, *Repertorium typographicum* (Nördlingen 1864), No. 1792; Böcking, *Hutteni Opera*, vol. I, pp. 76 ff., vol. II, pp. 78 ff.



of heresy.<sup>1</sup> The statement was one of the first expressions of independent thinking by the young monarch and a programme for the whole of his reign. The way was open for the execution of the Bull in accordance with imperial law; all that was necessary was to give Luther time to get back to Wittenberg in accordance with the guarantee that had been given him. The Estates were dissatisfied with the issue. What would happen if the idol of the masses were burnt at the stake? Would it not be said that he had died without having been convicted?

The result of these considerations was that on 20 April the Estates decided that Luther should be examined once more by a committee, but without juridical formality and without arguing.

The Chancellor of Baden, Doctor Vehus, undertook this thankless task on 24 April.<sup>2</sup> There can be no doubt that when he endeavoured to get Luther to accept a common basis—viz. the authority of the Councils—he was acting in accordance with a previous arrangement with the committee which besides Joachim, the Elector of Brandenburg, and Duke George of Saxony, included the Bishops of Trier, Augsburg and Brandenburg. In his solemn address to the Diet Aleander had touched no less than four times on this cardinal point. He had also made a skilfully calculated reference to the Council of Constance which had lost none of its popularity in Germany. In the examination of 18 April the chancellor of Trier, Johann von der Ecken, had taken the same line: “what has been settled by the Councils needs no further discussion”. Vehus strove to convince Luther that the diversity of conciliar decisions implied no contradiction between them: they were *diversa, non contraria*. All was in vain. Even after the deputies of Augsburg and Strasbourg, Peutinger and Bock, and finally on 25 April the Archbishop of Trier, Richard von Greiffenklau, had pressed Luther in a friendly manner to leave the decision of his affair to a Council, Luther stuck to his impossible pretensions that a Council could only judge his teaching on the basis of Holy Scripture and that the articles submitted to it must be previously approved by himself.<sup>3</sup>

<sup>1</sup> *R.T.A.*, VOL. II, pp. 594 ff.; a Latin translation was printed by Schöffler at Mainz, O. Clemen, *Unbekannte Drucke und Akten aus der Reformationszeit* (Leipzig 1942), pp. 91 ff. Brandi, *Kaiser Karl V*, p. 112 (Eng. edn., p. 130), describes the document as “the most weighty utterance of his youth”.

<sup>2</sup> The fullest account is that of Chancellor Vehus, *R.T.A.*, VOL. II, pp. 611-24.

<sup>3</sup> The two conditions are only found in the *Acta et res gestae*, Lutheran in tendency, *R.T.A.*, VOL. II, p. 565, and in the equally Lutheran *Deutscher Bericht*, *ibid.*, p. 609. Vehus makes no mention of the second condition; in its place he has another, namely that “die Haltung eins concilium nit lang verzogen wurde”, *ibid.*, p. 622. Vehus also reports that Luther had undertaken not to preach and not to write about the articles reserved to the Council.

Luther knew only too well that at this stage of the movement the condemnation of his teaching by a General Council would mean the loss of most of his adherents, hence a conciliar decision was the last thing he wanted. It was a tragedy that Aleander also was against a Council though for a very different reason. Luther was afraid of a Council that would deal with questions concerning the faith; Aleander feared the anti-Roman tendencies of a reform Council. The fact was that the heat of the battle around Luther was chiefly fanned by the anti-Roman and anticlerical feelings of the laity,<sup>1</sup> which also inflamed the debate on Church reform. But it was impossible to mention Church reform without broaching the question of a Council. Even before the opening of the Diet, on 21 January, the above-mentioned Dominican Johann Faber had urged the Estates in his sermon to lend help to the Emperor for his Italian expedition and to pave the way for a reform of the Church by means of a great Council on an episcopal basis.<sup>2</sup> It almost looked as if the days of Charles VIII and Louis XII were about to return, for though it was a tradition for the Estates—princes and towns, clergy and laity—to disagree among themselves, they were all of one mind on one point, namely, that the hour for the reform of the Church had struck.

Duke George of Saxony submitted a list of fourteen proposals for reform in which he stated that a Council was the best means for the suppression of scandals among the clergy and for a “general reform”.<sup>3</sup> Another set of complaints, probably also submitted to the Diet, suggested that in future papal reservations, pensions, dispensations enabling a man to hold incompatible benefices, exemptions from the normal course of justice, should only be recognised in so far as a future Council permitted them with the explicit assent of the German nation.<sup>4</sup> Another long list of complaints and grievances was also drawn up which sounds like a strong echo of Luther’s appeal to the nobility. The whole of the first part (articles 1-28) is exclusively directed against the Curia’s policy with regard to benefices and its fiscal system.<sup>5</sup> But, strangely

<sup>1</sup> “La rabbia di tutti i principi di Germania che cridano a Cesare contra di noi,” says Aleander on 8 February. Brieger, *Aleander und Luther*, p. 49.

<sup>2</sup> Medici’s report of 22 January, Balan, *Monumenta*, p. 42. Faber’s episcopal expressions in the report of the English envoy Tunstall, 29 January, in *R.T.A.*, VOL. II, p. 784. They were probably the reason why Aleander styled him “a second Luther”; Spinelli to Wolsey, 24 January, *Cal. of Letters*, VOL. III, ii, 1577.

<sup>3</sup> *R.T.A.*, VOL. II, p. 666; Gess, *Akten und Briefe*, VOL. I, p. 153.

<sup>4</sup> *R.T.A.*, VOL. II, p. 705, n.1.

<sup>5</sup> *R.T.A.*, VOL. II, pp. 700-04.

enough, a Council is not mentioned in this list of *gravamina*. What had happened? Only this, that Aleander had had recourse to the trusty tactics with which Sixtus IV in his day was wont to ward off inconvenient demands for a Council—he himself had threatened with a Council. The nuncio dropped a hint to the effect that he had in his possession a papal notification of a Council. For the benefit of princes and bishops—separately, of course—he drew a lively picture of what they might expect from a reform Council. The threat silenced them.<sup>1</sup> The bishops withdrew their adhesion to the *gravamina*, and though the secular princes still mentioned a Council in their “Supplica” to the Emperor, the text of which has not been preserved, no joint demand for a Council was made by the Estates as a whole: dogma and reform were kept apart.<sup>2</sup> Aleander might feel well content; his trick had succeeded, and it was his opponent, Luther, who had done his best to make such a success possible. Although the majority of the Estates present at Worms were convinced that a Council alone held any prospect of a satisfactory solution of both problems, the Diet took no steps to bring it about.

The Edict of Worms, which was finally drafted on 8 May, received the approval of a section of the Estates on the 25th, after the conclusion of the Diet, and was signed by the Emperor on the following day.<sup>3</sup> It was all that Aleander had wished for. It put Luther under the ban of the Empire, ordered his writings, without exception, to be burnt and forbade their publication and diffusion. At the same time a political alliance between Pope and Emperor was concluded in Rome. On 28 May Leo X wrote at the bottom of the document by which he bound

<sup>1</sup> There is no reason to doubt Aleander's subsequent report on the incident in his memorial to Clement VII, Döllinger, *Beiträge*, VOL. III, p. 255.

<sup>2</sup> According to Aleander's report of 27 February (Brieger, *Aleander und Luther* p. 72; Balan, *Monumenta*, p. 73), the Emperor had already replied by word of mouth, on 19 February to the “responsio” of the Estates. It was to the effect “che le querele di Roma lui non voleva che si mescalessino con la cosa di Luther che toccava la fede”. The written reply of 2 March (*ibid.*, pp. 518 ff.) does not mention this desire but takes it for granted since it invites them to set down their grievances in writing.

<sup>3</sup> Text in *R.T.A.*, VOL. II, pp. 640-59; the Latin draft is by Aleander, the German text by the imperial secretaries Ziegler and Spiegel. A Roman edition of the Latin text of 6 May prepared by Jacob Mazochi, “*Romanae Academiae bibliopola*”, in *Vat. Lib.*, Racc. I, IV, 1680 int. 37, has been overlooked by Wrede. Bibliography: P. Kalkoff, *Die Entstehung des Wormser Ediktes* (Leipzig 1913), with the supplements in *A.R.G.*, XIII (1916), pp. 241-76. Kalkoff's assertion that the edict was surreptitious and illegal has been refuted by N. Paulus, in *H.Ź.*, XXXIX (1918-19), pp. 269 ff. The only thing that is accurate is that the claim made in the edict (p. 653, 16th line) that it was the result of the unanimous advice and will of the Estates does not correspond with the facts.

himself to lend armed assistance against Francis I of France, the words: “Thus we promise.”<sup>1</sup>

Aleander was jubilant! “The victory is ours,” he wrote, “nine tenths of Luther’s adherents have deserted him; the imperial edict will put an end to this abomination.”<sup>2</sup> He was grievously mistaken. Like the Bull *Exsurge*, the Edict of Worms was not carried into effect within the Empire. On his return journey from Worms Luther was kidnapped in an attack staged by his Saxon friends, who took him to a place of safety in the Wartburg and all the while his writings continued to woo the soul of the German people.<sup>3</sup> It is true that on 20 January 1522, at the instance of Duke George of Saxony, the commission of princes to whom the Emperor had entrusted the government of the Empire on his departure for Spain, and who directed the affairs of the state from Nuremberg, forbade all innovations in the Church until a Diet or a Council should have given directions to that effect,<sup>4</sup> but by reason of successive changes in its composition and the consequent influence of the Elector of Saxony, the commission’s policy lacked consistency; above all it lacked the power to impose its decisions.<sup>5</sup>

At this point the death of Leo X and the election of the Netherlander Adrian of Utrecht, on 9 January 1522, opened up the most surprising possibilities.<sup>6</sup> As a trained theologian, Adrian VI had

<sup>1</sup> Brandi, *Kaiser Karl V*, pp. 128-32 (Eng. edn., pp. 149 ff.), has a masterly summing up of the political situation.

<sup>2</sup> Aleander’s reports of 26 May and 27 June, Brieger, *Aleander und Luther*, pp. 224-41; Balan, *Monumenta*, pp. 251, 261. How grievously mistaken he was Aleander was to learn in July from Capito’s reports of the disturbances at Erfurt and Magdeburg, *Z.K.G.*, xvi (1896), pp. 496 ff.

<sup>3</sup> K. Schottenloher estimates at 2000 the number of the printed editions of some of Luther’s writings between 1517 and 1525 *R.E.*, vol. xxiii, p. 272. The first edition of the September Bible, of 5000 copies published by the Wittenberg printer Michael Lotter on 22 September 1522, was sold out within three months in spite of the high price of one and a half ducats.

<sup>4</sup> Gess, *Akten und Briefe*, vol. I, p. 252. Hofmann’s observation (*Konzilsfrage*, p. 31) that thereafter the idea of the Council only proceeded from the religious problem is inaccurate—for Duke George it was always connected with Church reform.

<sup>5</sup> I was not able to consult P. Kalkoff, *Das Wormser Edikt und die Erlasse des Reichsregiments und einzelner Reichsfürsten* (Munich 1917). A. Grabner, *Zur Geschichte des zweiten Nürnberger Reichsregiments* (Berlin 1903), pp. 38 ff., is biased.

<sup>6</sup> The bibliography of Adrian VI has been increased, since Pastor vol. IV, ii, pp. 1-157 (Eng. edn., vol. IX, p. 22 ff.), by the popular but, on the whole, successful biography by E. Hock, *Der letzte deutsche Papst Adrian VI* (Freiburg 1939), and a number of special studies among which the following may be singled out: A. H. L. Hensen and G. J. Hoogewerff, on medals and portraits of Adrian VI, in *Mededeelingen*, III (1923), pp. 1-20; VII (1927), pp. 97-100; P. Kalkoff, “Kleine Beiträge zur Geschichte Hadrians VI”, in *H.ſ.*, xxxix (1918-19), pp. 31-72, on the Pope’s collaborators; E. Göller, “Hadrian VI und der Ämterverkauf an der päpstlichen Kurie”,

realised from the very beginning that Luther's teaching was untenable. He entirely concurred with the verdict which the theological faculty of Louvain, whose dean he had been at one time, pronounced upon it on 7 November 1519.<sup>1</sup> On the other hand he was fully aware that many of the complaints about the Curia and the clergy were justified,<sup>2</sup> and he was equally convinced of the urgent necessity of far-reaching reforms if the movement of secession was to be arrested. His own blameless life, his somewhat frigid but incorruptible honesty, his simple, genuine piety inspired by the *devotio moderna*, were in perfect harmony with this conviction. The simplicity and parsimony with which he ordered his life at the Vatican—his daily personal expenditure was one ducat—constituted the greatest contrast imaginable to the sumptuousness of his predecessor. "I could have sworn he was a *Frate*", wrote an eyewitness of the Pope's entry into Rome.<sup>3</sup> Now, if ever, there was a prospect of arresting the Lutheran movement by energetic counter-measures and an internal renewal of the Church.<sup>4</sup>

in *Festgabe Finke* (Freiburg 1925), pp. 375-407; A. Albareda, "Adrià VI i els conselles de Barcelona 1522", in *Analecta sacra Tarraconensia*, XI (1935), pp. 235-49; see also n. 2 below.

<sup>1</sup> When the faculty published its *Condemnatio*, 6 November 1519 (Le Plat, VOL. II, pp. 47-50; *Corpus Inquisitionis Neerlandicae*, ed. P. Fredericq (Ghent 1927), VOL. IV, pp. 14-16), it forwarded to Adrian VI extracts from Luther's writings (printed by Kalkoff, *Forschungen zu Luthers römischen Prozess*, pp. 194-203); in his reply of 4 December the cardinal described them as "rudes et palpabiles haereses" (Le Plat, VOL. II, pp. 50 ff.; *Corp. Inquis. Neerl.*, VOL. IV, pp. 17 ff.).

<sup>2</sup> The synodal sermon and the discourse to the clergy at Louvain on 13 May 1498, printed by E. H. J. Reussens, *Syntagma doctrinae theologicae Adriani VI P.M.* (Louvain 1862), pp. 215-32, are of fundamental importance. The *Quaestiones quodlibetales* (I quote from the Lyons edition of 1546) should also be taken into account; thus, for instance q. 6 shows that Adrian was profoundly aware of the problem "Jus divinum—Jus humanum"; q. 9 treats of simony. For Adrian's theology see also B. Kurtscheid, "De obligatione sigilli confessionis iuxta doctrinam Adriani VI", in *Antonianum*, I (1926), pp. 84-101; W. Lampen, "Paus Adriaan VI over de veelvondige communio", in *Katholiek*, CLXIV (1923), pp. 137-45.

<sup>3</sup> Sanudo, *Diarii*, VOL. XXXIII, pp. 432 ff. (5 September 1522). Gradenigo's reports to the Senate in Sanudo, *Diarii*, VOLS. XXXIII and XXXIV; those of Negri to Micheli in *Lettere di principi*, VOL. I (Venice 1564) fols. 87<sup>r</sup>-100<sup>v</sup>, as well as the entry in the catalogue of the Order of the Augustinians quoted by me (*Seripando*, VOL. II, p. 51: Eng. edn., p. 508) show that not all Italians judged Adrian as unjustly as does V. Albergati. For the rest the text given by E. Bacha, "Les Commentaires de V. Albergati", in *Compte-rendu de la Commission Royale d'histoire de la Belgique*, V, I (1891), pp. 102-66, is more odious in some passages than that of a subsequent revision of the commentaries, in Vat. Lib., Vat. lat. 4937.

<sup>4</sup> This expectation is given expression in the "Dialogue between a courtier, an abbot and the devil", in Clemen, *Flugschriften*, VOL. III, pp. 16-23. The editor, A. Richel, ascribes it to Pamphilus von Gengenbach. I think the author is a Catholic reformer, not a courtier expelled from Rome as claimed by J. F. M. Sterck, "Over Paus Adriaan VI", in *Mededeelingen*, X (1927), pp. 101 ff.

Long before the Schism Adrian had often proclaimed from his professorial chair at Louvain that a Council alone could bring peace to the nations and renewal to the Church.<sup>1</sup> As a cardinal he had expressed the opinion that on account of its importance the Reuchlin dispute should be dealt with by a Council.<sup>2</sup> On accepting his election to the Papacy he had sworn to promote the salutary project of a Council in so far as in the opinion of the cardinals its convocation would benefit the Church.<sup>3</sup> In these circumstances he could not but be powerfully impressed by the words of Cardinal Carvajal, the one-time leader of the opposition to Pisa and now the Dean of the Sacred College who, on welcoming the new Pope on his arrival in Rome on 28 August 1522 urged him to renew the Church on the basis of the sacred Councils and the prescriptions of Canon Law.<sup>4</sup>

One of the best representatives of the humanist culture, the Spaniard Luis Vives, pointed out to him, in the light of Church history, that the storm that had struck the Church could only be stilled by a Council which would decide Luther's affair impartially and in the spirit of Christ, for the good of the countless souls whose salvation was endangered. Such an assembly would also initiate a reform of the Church. "A number of Popes, in the remote and the recent past, had shunned such a gathering like poison, concerned, as they were, for their authority and their revenues. You yourself have no cause for anxiety; your conduct and your conscience are blameless; you need have no fear of being called to account."<sup>5</sup> Adrian's fellow-countryman Aurelius of Gouda already saw the great purpose nearing fulfilment and rejoiced in the present good fortune amid so many misfortunes, for "with the help of his imperial pupil, Adrian would make good the mistake of the Emperor Constantine, who to the Church's injury, bestowed wealth and power upon her".<sup>6</sup>

In spite of the Pope's sincere determination to do his duty by the

<sup>1</sup> "Suis ad populum concionibus creberrime affirmabat, neque rebus humanis pacem neque profectum ecclesiae unquam dari posse, nisi publica sacratissimae synodi editione provideretur"; thus Aurelius of Gouda in his *Apocalypsis*, C. Burmann, *Hadrianus VI* (Utrecht 1727), p. 269; an extract is to be found in *C.T.*, vol. XII, p. xlvii.

<sup>2</sup> L. Geiger, *J. Reuchlin* (Leipzig 1871), pp. 311 ff.

<sup>3</sup> I use the *Professio fidei Adriani VI* in the bad copy in Vat. Lib., Vat. lat. 12193, fol. 5.

<sup>4</sup> Text of the address, edited by C. von Höfler in *Abhandlungen der Münchner Akad., historische Klasse*, IV, iii (1846), pp. 57-62; *C.T.*, vol. XII, pp. 18-21.

<sup>5</sup> Burmann, *Hadrianus VI*, pp. 462 ff.; *C.T.*, vol. XII, pp. xlviii ff.; cf. J. B. Gomis, "Vives pro Concilio", in *Verdad y vida*, III (1945), pp. 193-205.

<sup>6</sup> Burmann, *Hadrianus VI*, p. 313.

Church, he failed to fulfil the hopes of the advocates of a Council. There is not a trace in the record of the first months of his pontificate of a personal initiative in favour of a Council, and when the German Estates pressed him on the subject, he did nothing to meet their demand. So surprising a fact calls for an explanation. The events themselves supply it.

Adrian VI did nothing to forward the conciliar project. The whole of his pontificate is only a fragment. During the short year—reckoning from his arrival in Rome—which he had at his disposal, the tenacious but cautious and slow-moving pontiff had to contend with the countless difficulties that were bound to confront a stranger to the ways of the Curia and a foreigner into the bargain. These difficulties increased all the more as from the first day he made no secret of his determination to make a radical break with the method of government of his predecessor. He needed the assistance of able men who shared his views. He did not find them, at least not in sufficient numbers.<sup>1</sup> His fellow-countrymen Enckenvoirt and Heeze, and Bishop Teodoli of Cosenza, whose acquaintance he had made in Spain, enjoyed his confidence. They were conscientious workers but without experience of affairs and as slow-moving as their master. The experienced and energetic Cardinal Schiner, to whom the Pope assigned a residence in the Vatican, died in the month of December 1522.<sup>2</sup> Cajetan, as keen a reformer as he was a great theologian, was an “outsider” in Rome and in all probability even he was not quite clear in his own mind whether his proposals for reform<sup>3</sup>—some of them of a drastic kind—were capable of realisation. The jurist Campeggio was familiar with the methods of the Curia, but the Pope appears to have taken him only

<sup>1</sup> More thorough than Pastor, VOL. IV, II, pp. 56 ff. (Eng. edn., VOL. IX, pp. 78 ff.), is Kalkoff's work in *H. J.*, XXXIX (1918-19), pp. 31-72, already referred to. The imperial envoy Sessa judged the collaborators exclusively by their attitude towards the Emperor; despatch of 17 October in *Cal. of St. Pap., Spain*, VOL. II, pp. 493 ff.

<sup>2</sup> On 29 December 1522 Schiner informs Duke George of Saxony of the excellent dispositions of the Pope and promises his co-operation towards the attainment of their aim: “Nova facio omnia”; A. Büchi, *Korrespondenzen und Akten zur Geschichte des Kardinals M. Schiner*, VOL. II (Basle 1925), pp. 502 ff.; his memorial on the reform, 1 March (Pastor VOL. IV, II, pp. 722 ff.; Eng. edn., VOL. IX, pp. 472 ff.), which has already been mentioned, is silent about the Council.

<sup>3</sup> It is impossible to imagine the repercussions upon the development of the Church's constitution if these proposals had been given effect; e.g. the proposal to make the election of bishops by the chapters the rule, or that of restricting the cardinals to the income they derived from the countries whose protectors they were (*C.T.*, VOL. XII, pp. 34, 37). More will be said about the suggestion, so rich of promise for the future, for the improved training of the future clergy.

gradually into his confidence.<sup>1</sup> The two Neapolitans Gianpietro Carafa and Tommaso Gazzella,<sup>2</sup> whom Adrian had also known in Spain, have left no visible trace of their activities at the Vatican. The Pope, in fact, did not succeed in getting in touch with those Italian circles which favoured reform. They were still weak, it is true, but Adrian did not invite their co-operation. But even if he had established contact with them, the fact remained that not one of the people who came to him with their proposals for reform could have been won over to the idea of a Council.<sup>3</sup> They kept plodding along in the old track of the papal reform plans elaborated by the Popes of the previous generations which actually stood a chance of being carried out by the reigning pontiff: “You need no reform, the head is already reformed”, Cardinal Cajetan joyfully exclaimed in the consistory of 1 September 1522.<sup>4</sup>

However, as often as Adrian made an attempt to reform the Curia, he discovered to his horror that every interference with the complicated system of the sale of offices and the collation of benefices threatened the financial basis of papal policy<sup>5</sup> and added fuel to the deep aversion and hatred of which he, as a foreigner, was the object. His slowness in the transaction of business, of which the ambassadors complained bitterly,<sup>6</sup> held up ecclesiastical reforms no less than political decisions.

From conscientious motives Adrian hesitated to pursue the policy of his predecessor and to give effect to the alliance with the Emperor, to the intense annoyance of the imperial ambassador in Rome, the

<sup>1</sup> Campeggio's memorial is primarily concerned with the reform of the Curia and is remarkable for its grasp of actuality which leads him to strive for what is obtainable. It was probably inspired by Tommaso Campeggio; text in *C.T.*, VOL. XII, pp. 5-12.

<sup>2</sup> The invitation to the two Neapolitans is solidly attested by Carraciolo (Pastor, VOL. IV, ii, p. 31; Eng. edn., VOL. IX, p. 42), by Giovio (Burmman, *Hadrianus VI*, pp. 137 ff.) and by Seripando (Jedin, *Seripando*, VOL. II, p. 51; Eng. edn., p. 508).

<sup>3</sup> Severoli (Hofmann, *Forschungen*, VOL. II, p. 248; Pastor, VOL. IV, ii, pp. 69 ff.; Eng. edn., VOL. IX p. 84), confines himself to the reform of the offices; Zaccaria Ferreri (*C.T.*, VOL. XII, pp. 21-30) indulges in mere declamation; J. A. Flaminus (Vat. Lib., Vat. lat. 7754—dedication copy) is exclusively concerned with the Turkish war and Italian politics. The small tract of Zacharias de Rhodigio (Vat. Lib., Vat. lat. 3588) is almost illegible. To my knowledge the Minorite Thomas Illyricus alone counsels the holding of a General Council as well as provincial councils; cf. his *Clypeus status papalis* (Turin 1523), in *C.T.*, VOL. XII, p. xlix.

<sup>4</sup> *C.T.*, VOL. XII, p. 31.

<sup>5</sup> The most important result of the above-mentioned work by Göller (p. 205, n. 6) is to show that Adrian VI did not put a stop to the sale of offices and certain resignations, for fear of bankruptcy. As a matter of fact the Venetian envoy also observed that the Pope was granting the regresses which he had refused at first. Sanudo, *Diarii*, VOL. XXXIII, p. 481.

<sup>6</sup> Albèri, *Relazioni*, VOL. II, pp. 3, 112 f.; *Corpo diplomatico Portuguez* (Lisbon 1862-1910), VOL. II, p. 153; *Lettere di principi*, VOL. II, fol. 94<sup>v</sup>.



Duke of Sessa. He only overcame his scruples when he discovered that his political adviser, Cardinal Soderini, did not hesitate to betray him to the French. Thus the fond dream of the medieval idealists—the close alliance of Pope and Emperor for the good of Christendom—seemed about to become a reality. But it was too late, the pontificate of the last Pope of Germanic origin was drawing to its close.

In spite of its short duration Adrian's pontificate was not without an element of greatness. "Poor Christendom!" he sobbed, when told that Rhodes had fallen.<sup>1</sup> He thereupon set himself to organise military action against the Turks. In keeping with his thrifty character he began by saving every penny, with the result that in his lifetime he was decried as a miser, but when after his death the disappointed parasites entered his strictly guarded private room in the Torre Borgia, in the hope of treasure, all they found was some books and 2000 ducats in cash—all his other savings had been applied to purposes of public utility.<sup>2</sup>

Like all his undertakings, Adrian's action against the Lutheran movement was spasmodic. For him, as for every Christian whose judgment was not biased by the ideas of the conciliar theory, Luther was a heretic, hence the only charge laid on the nuncio Francesco Chierigati<sup>3</sup> on his departure for the Diet of Nuremberg<sup>4</sup> was to see to it that the Bull *Exsurge* and the Edict of Worms were obeyed. Chierigati was also the bearer of the celebrated instruction of 25 November 1522,<sup>5</sup> drawn up at least in substance by Adrian VI himself. In this document the Pope publicly admitted that the sins of the clergy and the Curia were largely responsible for the present troubles and announced his determination to grapple energetically with the disease. The action was without precedent and was never repeated.

<sup>1</sup> Sanudo, *Diarii*, VOL. XXXIV, p. 28.

<sup>2</sup> "Verum postea cognitum est Adrianum . . . multa aureorum millia praeter privatos sumptus publicis impensis reipublicae causa erogaverat." Alberigati, Vat. Lib., Vat. lat. 4937, fol. 2<sup>o</sup>.

<sup>3</sup> Chierigati was at first in the service of Mantua and came to the future Pope's notice while the latter held the post of nuncio in Spain. Adrian raised him to the See of Teramo (1522-39). After the Pope's death Chierigati was left out in the cold. The *Diarium* referred to by Sarpi, VOL. I, p. 2 (ed. Gambarin, VOL. I, p. 38) could no longer be found in 1630, Jedin, *Der Quellenapparat der Konzilsgeschichte Pallavicinos*, pp. 60 ff. In any case Pallavicino had no access to part of the family papers which were in the possession of one Francesco Chierigati.

<sup>4</sup> Chierigati raised this demand already at the audience of 10 December 1522, *R.T.A.*, VOL. III, pp. 387 ff.; it is also found in the brief of 25 November (*ibid.*, pp. 399-404). For what follows see Hofmann's study, *Konzilsfrage*, pp. 34-66, on the Acts in *R.T.A.*, VOL. III, pp. 383-452.

<sup>5</sup> *R.T.A.*, VOL. III, pp. 390-9.

There can be no doubt that the Pope meant to defeat the revolution that had broken out by means of reforms and that he was firmly resolved to start at the top. But reforms had been promised too often and never implemented, so no one believed him.

The instruction was read at the Diet of Nuremberg on 3 January 1523, but it fell flat. Such were the princes' distrust and hatred of the Roman Curia that while they were gratified by the fact that the Pope shared their view of the religious problem—though this could not be said without reservation—they, on their part, were unable to emulate his magnanimity and breadth of outlook.<sup>1</sup> That which the Emperor had successfully prevented at Worms—viz. the linking of the examination of Luther's affairs with the reform of the Church—now became an actuality: the Estates demanded a Council. But they tied up their demand with conditions which bore no relation to the good-will and the magnanimity of which the Pope had given proof, so that it was difficult for him to accede to their request, justified though it was in itself. On 5 February they demanded that, with the consent of the Emperor, the Pope should convoke, if possible within a year, “a free Christian council in a city on the German border, such as Strasbourg, Mainz, Cologne or Metz”.<sup>2</sup> It would be the Council's task to organise the war against the Turks and to take all necessary measures in the affair of Luther and on the question of reform. Meanwhile an attempt would be made, through Luther's sovereign, to persuade the heresiarch to refrain from publishing any new books, while preachers would be instructed to stick to Holy Scripture and the four Doctors of the Church.

“A free Christian council in German lands!” Such was the formula—repeated time and again—in which the German demand for a Council was presented to the Pope. It sounds unobjectionable enough, but its true significance and the pretensions it implied are only brought to light by a study of its historical background. In the memorial of the so-called “small committee”,<sup>3</sup> the authors, the jurists Schwarzenberg,

<sup>1</sup> The remark of the Saxon councillor Planitz (Hofmann, *Konzilsfrage*, p. 45) is characteristic: “Ich halt lauter nichts davon.” George of Saxony, on the other hand, felt differently for in the instructions to his representative he expressed the hope that this “teutsche babst” would bring about a Council with the help of the Emperor. *R.T.A.*, VOL. III, p. 67; Gess, *Akten und Briefe*, VOL. I, p. 300.

<sup>2</sup> *R.T.A.*, VOL. III, pp. 435-43.

<sup>3</sup> *R.T.A.*, VOL. III, pp. 417-29. On the composition of the committee see Hofmann, *Konzilsfrage*, pp. 45-54; in my opinion, however, Hofmann's view that the Council was not meant to be a general one is untenable for a far greater fight would have been put up for the addition “gemein=allgemein”, and the word would not have been allowed to drop out so easily.

Zoch and Rotenhan—all of them men of Lutheran sympathies—make it perfectly plain that for them “free” is equivalent to “independent of the Pope”. The idea is that all the members of the Council must be freed from all obligations to the Pope so that they might speak without hindrance. For the authors of the memorial the Council is not just a gathering of Catholic bishops under the presidency of the Pope, the laity are also entitled to a place and a vote in it. It must be convoked by the Pope, “with the Emperor’s approval”, so that “both Christian heads” may be regarded as convening it. It must meet in a German town. Yet in view of the ferment among the masses it would be utterly unable to maintain its freedom and independence if it ventured to proceed against Luther. The fact of the matter was that the intention of the authors of the memorial was to tie the Pope’s hands from the moment of convocation, to eliminate his influence from the Council itself, and to paralyse that of the clergy by the participation of the laity.

The memorial of the towns uses the formula in the same sense,<sup>1</sup> and though the ecclesiastical princes secured a number of alterations in the final text of the secular princes’ statement,<sup>2</sup> none of them exclude the original sense of the formula. Chieregati’s suggestions for a revision which would have removed at least the most objectionable features of the document<sup>3</sup> were flatly rejected. The decree of 6 March brought no elucidation of a kind that would have made the formula more acceptable.<sup>4</sup>

The demand for a Council was closely linked with another equally radical step in the affair of reform. By the terms of the above-mentioned decree of the Diet, a list of “*gravamina* of the German nation” was to be submitted to the Pope. The definitive formula of this document as officially settled by the secular Estates<sup>5</sup> was not only sharply anti-Roman and anticlerical, it also betrayed unmistakable

<sup>1</sup> *R.T.A.*, VOL. III, pp. 433 ff.

<sup>2</sup> From the memorial (*R.T.A.*, VOL. III, pp. 419-33) by a lay jurist it appears that the ecclesiastical Estates, including Stadion of Augsburg who was being decried as a friend of Luther, protested against the abolition of the episcopal oath and the equal rights of the laity at the Council. They suggested Mantua for its assembly. I regard the fact that the undoubtedly orthodox majority of the members of the Diet should have been satisfied with a formula of this kind as one of the strongest proofs for the view I have previously expounded on the spread of conciliarist ideas in Germany.

<sup>3</sup> *R.T.A.*, VOL. III, pp. 443-7. He does not refer to the equal rights of the laity because they are taken for granted in the reply (*ibid.*, p. 449: “*ecclesiastici vel laicalis ordinis*”) though not explicitly stated.

<sup>4</sup> *R.T.A.*, VOL. III, pp. 745-8. I can find no evidence of “a falsification of the original tendencies” by the Recess (Hofmann, *Konzilsfrage*, p. 66).

<sup>5</sup> *R.T.A.*, VOL. III, pp. 645-88.

traces of the Lutheran spirit.<sup>1</sup> The emphasis was on financial grievances while positive proposals for reform were kept in the background. This was an alarming reminder of the aims of the radicals of Basle during the conflict with Eugenius IV. To both tendencies Rome was bound to offer the most determined resistance.

We do not know what was Adrian VI's reaction to the demands of Nuremberg. Chierigati declared in general terms that the Pope would certainly not turn a deaf ear to the Estates' request for a General Council, but this does not entitle us to draw any far-reaching conclusions. Johann Eck, who went to Rome soon after the Diet on ecclesiastical business for his sovereign, dissuaded the Pope from calling a General Council; in its place he recommended a great papal reform Bull, supplemented for Germany by a new, exhaustive condemnation of Luther's teaching, as well as a special reform, to be directed from Rome.<sup>2</sup> On account of the gaps in our information we are not in a position to draw definite conclusions about Adrian's views and intentions, but the fact remains that during the six months, from the day when he learnt of the Nuremberg resolutions to that of his death, on 14 September 1523, he did not take a single step to meet the demand for a Council.<sup>3</sup>

The new Pope, Clement VII, despatched Cardinal Lorenzo Campeggio to Nuremberg as his legate.<sup>4</sup> In the whole College of Cardinals

<sup>1</sup> For example art. 1 on "human ordinances"; art. 4 on "Christian liberty".

<sup>2</sup> The piece here under consideration, *Pro Smo. D.N. Adriano VI*, is in *Beiträge zur bayrischen Kirchengeschichte*, II (1896), pp. 181-6. There we read (p. 183), "Non est alia commodior via et facilius emendandi mores corruptos et tollendi sectam Ludderanam quam per synodos provinciales, et multo efficacior quam per concilium generale quod cum difficultate potest congregari et in universali non bene applicatur medicina ad speciales morbos secundum varietatem personarum, regionum, etc." If the Council were really to meet, Eck adds (p. 189) "cavillarentur aliqui non esse liberum, aut si esset liberum, possent laici velle se immiscere". The memorial of the Bishop of Meissen, published by A. Postina in *R.Q.*, XIII (1899), pp. 337-46, takes only local problems into account.

<sup>3</sup> I do not deny that Adrian VI may not have thought of convoking a Council after the restoration of peace, as is asserted in the text quoted by Raynald, *Annales*, a. 1523, No. 115; such a plan would have been in keeping with his earlier views as described above. But the decisive fact is that, at least as far as we know, he did nothing to carry his intentions into effect.

<sup>4</sup> E. V. Cardinal, *Card. Lorenzo Campeggio* (Boston 1935), in the section about the Diet of Nuremberg (pp. 83 ff.), failed to draw on *R.T.A.*, that is, on the most important source of all. For the earlier bibliography cf. Hofmann, *Konzilsfrage*, pp. 66-94. Girolamo Rorario, who continued to assist Campeggio as nuncio to Archduke Ferdinand, does not appear to have played an important role in the matter of the Council; cf. P. Paschini, "Un Pordenonese nunzio papale nel secolo XVI, G. Rorario", in *Memorie storiche Forogiuliesi*, xxx (1934), pp. 169-216; also Gess, *Akten und Briefe*, vol. II, pp. 57, 67, and *Monumenta Vatic. Hungariae*, II, i (Budapest 1884), pp. 94 and *passim*.

there was no one better qualified to act as his representative than this Bolognese jurist, a man with a humanistic training and, like his brother Tommaso, from whom he was inseparable, an advocate of a thorough reform of the Curia. In the course of his legation in England Campeggio had acquired sufficient political experience to enable him to appear successfully on the difficult stage of a German imperial diet. But his was an impossible task. It availed him nothing that, in accordance with his instructions, he refrained from broaching the question of a Council both at his first audience before the Diet, on 17 March 1524, and in the discussions with the Estates on the following day,<sup>1</sup> for the latter reiterated their demand. A "gemein concilium" (General Council) still seemed to most of them the best remedy, though they did not overlook the objections that could be raised against such a solution. Some were of opinion that a Council convoked by the Pope was not likely to meet the wishes of the Estates on account of its composition and procedure; "the holding of it would do no injury to the papal See of Rome", and it would get the Lutherans into a very dangerous situation<sup>2</sup>; others feared that the postponement of the Council, which was almost inevitable, would be to the advantage of the ever-spreading new religion. It was this last consideration, a justifiable one from the point of view of the Church, that led the Bavarian Dukes to propose "ain sinodum teutscher nacion"—a synod of the German nation.<sup>3</sup>

The idea of a provisional settlement of the religious problem by a national council had first emerged at a conference of the episcopal counsellors of the ecclesiastical province of Salzburg towards the end of 1523.<sup>4</sup> The Bavarians now took it up in their turn and caused it to prevail. On 5 April 1524, the Estates agreed to ask the papal legate for "ein gemain oder nacional Consilium"—a general or a national Council. Though they used less captious terms in dealing with him and were content to speak of a provincial or a general Council,<sup>5</sup> at bottom they meant the same thing.

Campeggio saw the danger at once: from Scylla he had drifted into

<sup>1</sup> *R.T.A.*, VOL. IV, pp. 471 ff., 483 ff.; cf. p. 197.

<sup>2</sup> Report of George von Klingenbeck, *R.T.A.*, VOL. IV, pp. 200 ff., and Lazarus Spengler's memorial, *ibid.*, pp. 484-95, esp. p. 492.

<sup>3</sup> *R.T.A.*, VOL. IV, p. 434.

<sup>4</sup> The Recess of 4 December 1523, in a German translation, published by W. Hauthaler in *Mitteilungen der Gesellschaft für Salzburger Landeskunde*, xxxvi (1896), pp. 356-63.

<sup>5</sup> *R.T.A.*, VOL. IV, pp. 165, 500. The towns demanded a "frei christlich Konzil oder ein anderes christliches Verhör" by honourable persons of the ecclesiastical and lay state at some suitable place in Germany, *ibid.*, p. 508.

Charybdis. He represented to the Estates<sup>1</sup> that a national Council composed of representatives of bishops, universities and secular princes would not be entitled even to discuss Luther's affair, much less to judge it; to permit the meeting of such an assembly would amount to allowing one nation to hold another faith than that of the universal Church and thus to conjure up a schism. There could be no question of admitting laymen to discussions on questions of faith, yet if they were excluded there was reason to fear that they would not submit to its decisions just as they had refused up till then to submit to the commands of the Pope and the Emperor. With regard to the *gravamina*, which would likewise come up for discussion at the prospective national Council, the legate denied that they had ever been officially submitted to the Pope. He left them free to send a delegation to Rome for the purpose of presenting them, but if there was only question of simple and particular reform measures, he himself was prepared to discuss them at once, since for the purpose of reform no new laws were required, it was enough to carry out the existing ones.

The demand for a national Council was emphatically rejected by the papal legate because it involved the danger of the apostasy of a whole nation; so there only remained the alternative of a General Council. He declared his readiness to press for its early convocation but added at once that there would be a delay of at least two or three years since the Pope would have to summon six different nations and he would also have to come to an understanding on the subject with the princes. Thus they were back at the point from which they had started, for it was precisely the prospect of the delay in summoning a General Council that had brought the idea of a national Council to maturity in the ranks of the Catholic-minded Estates. If things were to go on for another three years as they had up till now, Lutheranism would strike ever deeper roots in Germany in spite of *Exsurge* and the Edict of Worms. This explains why the legate's answer failed to persuade the Estates to drop their first proposal,<sup>2</sup> and why they persisted in their demand that a “gemein frei universal Concilium” (a free General Council) should be proclaimed while in the meantime an assembly of the German nation

<sup>1</sup> I combine the contents of the oral reply of 6 April (*R.T.A.*, VOL. IV, pp. 165 ff.) with those of the written one of 7 April (*ibid.*, pp. 167 ff.); Campeggio's duplicate (*R.T.A.*, VOL. IV, pp. 522 ff.) merely develops the arguments previously put forward. The College of Cardinals' letter to Campeggio, 8 April (publ. by E. Carusi, *In memoria di Giovanni Monticolo*, Venice 1914, pp. 141-5), exhorts the legate to remain firm and to render harmless “Lutherum serpentem, bestiam”.

<sup>2</sup> *R.T.A.*, VOL. IV, p. 514.

which the Recess of 11 April convened for St Martin's Day, 11 November, was to be held at Speyer.<sup>1</sup>

There was genuine dismay in Rome when the Nuremberg decision became known. A discussion of Luther's affairs by a national Council at which secular princes would be present, amounted to a shelving both of the Bull *Exsurge* and of the Edict of Worms. It was a deliberate blow to the authority of Pope and Emperor alike. To link Luther's affair with the removal of the *gravamina*, perhaps to seek an interim solution until the Council met, would be to pave the way for Germany's permanent break with the Papacy. When consulted by the Pope the cardinals declared that the assembly of Speyer must be prevented by every means in their power.<sup>2</sup> In May 1524 the Pope instructed his nuncios at the imperial court, Giovanni Corsi and Bernardino Capellari, to do their utmost to prevent the Emperor from entrusting the negotiations to the Grand Chancellor Gattinara whom Rome regarded as unreliable, and to persuade him to despatch at once a special plenipotentiary to Germany with instructions to forbid the discussion of the religious problem by the assembly of Speyer.<sup>3</sup>

Such a step, which the Pope followed up with a letter of earnest exhortation,<sup>4</sup> was hardly necessary in the case of a man like Charles V, for the solution of the religious problem along ecclesiastical-national lines was contrary to his Catholic feelings as well as to his conception of the imperial authority. At this time the monarch did not yet venture to take it on himself to settle the religious question on the ground of an imperial protectorate over the Church. While Hannart, the Emperor's Nuremberg plenipotentiary, pressed him to despatch special envoys to Speyer, to name the Archduke Ferdinand his vicar, to

<sup>1</sup> *R.T.A.*, VOL. IV, p. 604. This solution agrees with the one proposed in the so-called Draft of Bamberg (*ibid.*, p. 500, n.3). The term "Nationalkonzil" was indeed avoided and even Hannart, the Emperor's representative, observed (*ibid.*, p. 777) that the convention of Speyer was not a national council. Hofmann (*Konzilsfrage*, pp. 94 ff.) has accordingly suggested that it should be described as a "national assembly", but such an appellation would obscure the ecclesiastical purpose of the gathering. I maintain the title of "national council" because the participation of the lay Estates was wholly in keeping with the ideas of the advocates of a Council. J. Weizsäcker, "Der Versuch eines Nationalkonzils in Speyer", in *H.Z.*, LXIV (1890), pp. 199-215, is among the more important works of an earlier period, as is H. Werminghoff's *Nationalkirchliche Bestrebungen im deutschen Mittelalter* (Stuttgart 1910), pp. 110 ff., for the antecedents of the idea.

<sup>2</sup> The memorials of Antonio del Monte and Cristoforo da Forli, publ. by W. Friedensburg, in *Q.F.*, III (1900), pp. 9, 14 ff.

<sup>3</sup> Balan, *Monumenta*, pp. 342 ff.

<sup>4</sup> Le Plat, VOL. II, pp. 223 ff. The text in Balan, *Monumenta*, pp. 335-9, appears to have been drafted by Aleander.

summon reliable theologians from Louvain and other Catholic universities with a view to strengthening the position of the Catholics,<sup>1</sup> and in general to act in close understanding with the Pope, Charles had recourse to a radical remedy—on 15 July he forbade the assembly.<sup>2</sup> “How dare one nation alter the Church’s ordinances”, he wrote to the Estates, “when not all the princes acting in concert with the Pope would be so bold as to attempt it?” The last of the universal monarchs was as strongly opposed to a national Council as the Pope himself.

The energetic intervention of the Emperor put an end to the plan for a national Council at Speyer. Although the Archduke Ferdinand and several princes had instructed their universities and their divines to make preparations for it,<sup>3</sup> they complied with the Emperor’s stringent orders. For the moment the danger of a national Council as a means of solving the problem of the Church was averted, though not finally, for in the next decades the idea emerged repeatedly not only in Germany but in other threatened countries as well, such as France and Poland and competed with the idea of a General Council.

Even before the text of the imperial prohibition reached Germany, the cardinal legate had taken an important step in the matter of the reform. On 24 June the Catholic Estates of Upper Germany met at Ratisbon under his presidency, for the purpose of an agreed policy for the suppression of certain abuses among the clergy. The first part of the *Formula Reformationis* (cap. 1-20)<sup>4</sup> submitted by Campeggio was based on the Mühldorf mandate, which the delegates of the ecclesiastical province of Salzburg had agreed upon on 31 May 1522.<sup>5</sup> It was supplemented by a number of additional decrees, such as a decree for the reduction of holy days (c. 21) and another authorising the secular power to proceed against apostate priests (c. 26). It was easy to see

<sup>1</sup> The decisive passages in Gilles’ instructions of 26 April 1524 in K. Lanz, *Korrespondenz des Kaisers Karl V*, vol. I (Leipzig 1944), pp. 127 ff.

<sup>2</sup> C. E. Förstemann, *Neues Urkundenbuch zur Geschichte der evangelischen Kirchenreformation*, vol. I (Hamburg 1842), pp. 204 ff.; Latin text in Raynald, *Annales*, a. 1524, Nos. 12-22; extract in Le Plat, vol. II, pp. 237 ff. For its motivation, P. Rassow, *Kaiseridee*, p. 50.

<sup>3</sup> List of memorials of universities and theologians of the period in Hofmann, *Konzilsfrage*, pp. 95 ff.

<sup>4</sup> Le Plat, vol. II, pp. 227-37. On the origin cf. W. Friedensburg, “Der Regensburger Convent 1524”, in *Historische Aufsätze Georg Waitz* (Hannover 1886), pp. 502-39; supplemented by W. Hauthaler in *Mitteilungen der Gesellschaft für Salzburger Landeskunde*, xxxvi (1896), pp. 386 ff. This was overlooked by Hofmann, *Konzilsfrage*, pp. 107 ff. Further literature in Schottenloher, Nos. 41253-7.

<sup>5</sup> *Concilia Salisburgensia*, ed. Dalham (Augsburg 1788), pp. 281-7, and Hauthaler in *Mitteilungen der Gesellschaft für Salzburger Landeskunde*, xxxv (1895), pp. 177 ff.



that the secular princes, above all the Dukes of Bavaria, had had a hand in the drafting of the formula. The principles laid down for admission to holy orders (c. 14), for control by the ordinaries of substitutes for absentee parish priests, and for the administration of incorporated parishes (c. 10-13) as well as for the determining of an appropriate indemnification for this large category of the pastoral clergy, foreshadow the line which the Council of Trent was to adopt at a later date.

The barren criticism of the Curia which formed the main constituent of the *gravamina* was left on one side; in its place the Estates took steps to raise the standard of the pastoral ministry at home. If the Ratisbon formula had been given effect throughout Germany, as had been planned, the term "reformation" would no longer have stood for something exclusively Lutheran and a national Council would have been superfluous. It must be borne in mind that if a plan for a national Council emerged at all, the cause was the delay of a general one: the former was conceived as a substitute for the latter, or as an interim solution. By forbidding it the Emperor assumed the obligation to speed the convocation of a General Council. Hannart had come away from Nuremberg with the conviction that it could not be avoided. On his advice Charles V instructed his Roman ambassador to press the Pope to proclaim a General Council, if possible in the course of the summer and to fix the date of its assembly in the spring of the following year. For the first time Trent was mentioned as the meeting-place, on the ground that it was regarded as a German town, that is as being within the Empire though it was actually situated in Italy.<sup>1</sup>

A Council of Trent, convoked in the year 1524, in spite of all misgivings, in answer to the demand of the Estates of the Empire for a "free Christian council in German lands", before the new teaching and piety had struck deep roots, at the moment too when the social revolution—the war of the peasants—was provoking a great reaction on the part of all responsible people—what a perspective! It is enough to say that the Emperor's proposal fell on deaf ears; nor did he himself seriously press it. He hinted in Rome that he would not oppose the translation of the Council into the interior of Italy and to Rome itself, even before it actually met. By this action he let it be seen how anxious he was to avoid annoying the Pope and thereby driving him into the camp of his opponent Francis I of France. He accepted the fact of

<sup>1</sup> Balan, *Monumenta*, p. 351 f.

“A FREE CHRISTIAN COUNCIL IN GERMAN LANDS”

Clement VII's notorious aversion from a Council and was not inclined to try to overcome it at the cost of political disadvantages. At this time he was involved in a political conflict of world-wide significance, the issue of which would decide the fate of Europe for a hundred years: war, not a Council, was his concern at the moment.

### CHAPTER III

## War—No Council

THREE men settled the fate of the Council at this time: Pope Clement VII, the Emperor Charles V and King Francis I of France.

The election of the Vice-Chancellor, Giulio de' Medici, as Pope was hailed with enthusiasm in Italy. Bembo prophesied that he would be the most highly honoured and revered, the greatest and wisest of all the Popes that had ruled the Church for centuries.<sup>1</sup> Events failed to justify these expectations. As a cardinal, Medici had been a decided partisan of the Emperor and he owed his election to the cardinals who favoured the Emperor. It was generally expected that his policy would show a decidedly imperial orientation. These speculations proved illusory. As early as 1522 he had made secret overtures to France through his secretary Giberti. When he became Pope he regarded it as his duty—as his predecessors had done—to extricate the States of the Church from encirclement by the empire of the Habsburgs, who were masters of Naples in the South and of Milan in the North, so as to secure the independence of the Holy See. This aim, so it seemed to him, could only be attained by means of an entente with France. True, an even higher aim beckoned, one that Julius II had worked for, namely the expulsion of the "barbarians" from his beloved Italy. But even if this aim was unattainable, it was enough for the re-establishment of political equilibrium in the peninsula and for the continuation of the domination of the Medici family at Florence if France was mistress of Milan.

Clement VII failed to see that his forces and those of Italy, disunited as they were, were not adequate to the pursuit of an independent policy, for only on this presupposition would an alliance with the weaker of the two rival powers make sense. But even then such an alliance would have to be accompanied by a pooling of all available resources and carried through with determination. In this respect Clement VII was found wanting. However we may judge the French policy of this Pope, there can be no question but that its unhappy issue, with all its fatal consequences for the Church, must be laid to the pontiff's charge.

<sup>1</sup> Bembo to Accolti, 11 December 1523, *Opera*, VOL. III (Venice 1729), p. 54.

If it is ever right to affirm that character, not talent, decides the success or failure of a man's life, it is so in the present instance. The new Pope was intellectually wide-awake, earnest and free from moral taint.<sup>1</sup> His conscientiousness and thriftiness constituted a pleasing contrast to the frivolity and prodigality of his cousin Leo X, though he did not entirely disown the literary and artistic traditions of the Medici family. When he spoke he did so readily and prudently, but he was also willing to listen to others. On the other hand, he had two fatal characteristics. Standing as he was in the very centre of an epoch of momentous decisions in the spiritual sphere, he became wholly tied up in politics: his thoughts were almost exclusively determined by the categories of Italian dynastic politics. To this were added a dreadful indecision, vacillation and timidity, so that amid endless negotiations and half-measures he let slip his best opportunities and ended by earning for himself from friend and foe alike a reputation for unreliability.<sup>2</sup>

<sup>1</sup> Since Pastor, VOL. IV, ii, pp. 176-643 (1907), Eng. edn., VOL. IX, pp. 243, F. X. Seppelt alone in *Das Papsttum im Spätmittelalter und in der Zeit der Renaissance* (Leipzig 1941) has provided a general survey based on personal studies. The works of G. Constant, *La Réforme en Angleterre*, VOL. I (Paris 1930), English translation, *The Reformation in England*, London 1934-41, and P. Grabites, *Clement VII and Henry VIII* (London 1936), on the English schism, and those of A. Lodolini, *L'assedio di Firenze, 1529-31* (Florence 1930), and F. Gilbert in *Archivio storico italiano*, xciii (1935), pp. 3-24, on Clement VII's domestic policy, touch on our subject only indirectly. W. Rolf, "Klemens VII und Carneseccchi", in *Repertorium für Kunstwissenschaft*, XLV (1925), pp. 117-40, discusses the portrait of the years 1530-2 by Sebastiano del Piombo; E. Constantini in *Atti della deput. storica delle Marche*, 1928, pp. 119-34, comments on a satire on the Pope composed after his death. For a character-study of Clement VII the Venetian Albèri, *Relazioni*, VOL. II, iii, pp. 126 f., 277 ff., Giovio, *Historia sui temporis*, xxxii (I use the Venice edn. of 1553), and especially Guicciardini, *Storia d'Italia* (ed. Panigada, Bari 1929, VOL. IV, pp. 327 ff.), remain indispensable. The collection of political briefs begun by P. Arendt, which should supplement the very incomplete accounts of the nunciatures (cf. A. Pieper, *Zur Entstehungsgeschichte der ständigen Nuntiaturen*, Freiburg 1894, pp. 65-93), is unfortunately not yet in print. Ordinary nuncio at the imperial court between 1524 and 1529 was Baldassare Castiglione, whose letters were published by P. A. Serassi, *Lettere del Conte B. Castiglione*, VOL. I, Padua 1769; VOL. II, Parma 1771. There is a good deal of information on the imperial court in *Cal. of St. Pap., Spain*, VOLS. II-IV, and in the reports of the Polish envoy Dantiscus, *Acta Tomiciana*, VOLS. VII-XII. Parallel with Castiglione's nunciature were the legations of Cardinal Giovanni Salviati and several extraordinary nunciatures. Under Clement VII the latter were often more important than the ordinary ones. Aleander was the first ordinary nuncio to France, cf. J. Paquier, "Nonciature d'Aléandre auprès de François I", in *Annales de St Louis des Français*, I (1896), pp. 271-326; *id.*, *J. Aléandre* (Paris 1900), pp. 303-36; Acciajuoli was nuncio from 1525 to 1527 (E. L. Fraikin, *Nonciatures de Clement VII*, VOL. I, Paris 1906). The introduction to the unpublished continuation of this work appears in *Mélanges d'archéologie et d'histoire*, xxvi (1906), pp. 513-63.

<sup>2</sup> "Discorre bene ma risolve male", says Soriano, Albèri, *Relazioni*, VOL. II, iii, p. 285.

This is not to say that Clement VII was personally lacking in religious sense or concern for the Church.<sup>1</sup> A provincial Council in 1517, while he was still Archbishop of Florence, proves that he was well aware of the need of reform in the Church. Soon after his elevation to the Chair of St Peter he appointed a commission of cardinals for the purpose of giving effect to the decrees of the Lateran Council. He saw to it that the justly acquired rights of third parties were not infringed by the Segnatura. He refrained from simony and crass nepotism and here and there encouraged attempts at personal reform. For all that, after six years of his pontificate Contarini had to admit that "though the Pope desires the suppression of abuses in holy Church he never carries his desires into effect and takes no step to that end".<sup>2</sup> Reform was co-ordinated with, not to say subordinated to, other undertakings. The safeguarding of his political position was the Pope's chief concern. With all the resources of a tortuous and positively cunning diplomacy, this inscrutable, scheming exponent of the politician's craft<sup>3</sup> worked for one grand objective, viz. the preservation of his personal prestige and the securing for the Medici of a leading position in Italy. Instead of choosing *one* political adviser, whose clear-sightedness and determination would have made up for the qualities he lacked himself, Clement had *two*, and these were engaged in an unending political tug of war. They were the Dominican Nicholas von Schönberg, Archbishop of Capua<sup>4</sup> and the Datary, Gian Matteo Giberti, Bishop of Verona.<sup>5</sup> All the latter's sympathies were with France. From the first he contrived to get his imperial rival out of Rome, for months at a time, on diplomatic missions to the Western powers, so as to secure a preponderant influence for himself. His collaborators were two Italians in the service of France—Alberto Pio of Carpi and Ludovico di Canossa, Bishop of

<sup>1</sup> Pastor, VOL. IV, II, pp. 577 ff.; Eng. edn., VOL. X, pp. 378 ff. An authenticated copy of the Bull *Meditatio cordis* of 21 November 1524 is in Vat. Lib., Raccolta I, p. iv, 1680.

<sup>2</sup> Albèri, *Relazioni*, VOL. II, III, p. 265.

<sup>3</sup> Thus Cardinal Loaysa; G. Heine, *Briefe an Karl V geschrieben von seinem Beichtvater Loaysa in den Jahren 1530-32* (Berlin 1848), pp. 86, 195, 401; in what follows I quote from the extremely important letters of Loaysa sometimes from the second edition in *Collección de documentos inéditos*, VOL. XIV (Madrid 1849).

<sup>4</sup> Cf. P. Kalkoff, in *Z.K.G.*, XXXI (1910), pp. 382 ff.; XXXII (1911), pp. 60 ff.; M. A. Walz, "Zur Lebensgeschichte des Kardinals N. von Schönberg", in *Mélanges Mandonnet*, VOL. II (Paris 1930), pp. 371-87.

<sup>5</sup> Most important for Giberti's political activity is T. Pandolfi's "G. M. Giberti e l'ultima difesa della libertà d'Italia negli anni 1521-25", in *Archivio della Soc. Rom. di storia patria*, XXXIV (1911), pp. 231-7. The biography of Pighius (2nd edn., Verona 1934), is inadequate in this respect.

Bayeux. The imperial party could not cope with these men, were it only that Charles V's diplomatists, the Duke of Sessa and later on Miguel Mai, had none of the skill that his military leaders displayed in their respective sphere. Jacopo Salviati, a brother-in-law of Leo X and closely connected with the Pope, was powerless, even with the assistance of his son Cardinal Giovanni Salviati, to neutralise these naturally opposed influences. However, the Emperor's military successes were not lost on the Pope, with the result that his policy pursued a zigzag course towards an uncertain goal. His neutrality, which he observed with great outward show, was not inspired by a sense of his spiritual authority as head of the whole Church but solely by an Italian dynast's fluctuations between two great powers.

All the contemporary students of Clement VII's character are agreed that he was exceedingly timorous.<sup>1</sup> This trait of his character affected his attitude to the question of a Council.<sup>2</sup> Since the days of Basle the convocation of a General Council was very properly regarded as a grave venture; but now that a great movement of apostasy had started north of the Alps the risk was immeasurably increased. How could a Pope who was generally thought to have been born out of wedlock, whose election was suspect on the ground of simony, whose domestic policy was open to so much criticism, face with equanimity an assembly of this kind?

The election capitulation which he had sworn to observe did not

<sup>1</sup> G. Contarini: "La natura del papa è supra modum timida e vile", in Dittrich, *Regesten*, p. 60; Foscari: "molto timido"; Soriano: "di non ordinaria timidità", Albèri, *Relazioni*, VOL. II, iii, pp. 126, 278; Guicciardini also speaks of "timidità d'animo", xx, xii.

<sup>2</sup> The fact of Clement VII's fear of a Council is beyond doubt. When Loaysa wrote on 8 October 1530 (*Coll. doc. inéd.*, VOL. XIV, p. 90): "Este nombre de concilio aborresce el papa come si le mentasen al diablo", he is in agreement with such well-informed and trained observers as Guicciardini (xx, iii, ed. Panigada, VOL. V, p. 300), Antonio Soriano (Albèri, *Relazioni*, VOL. II, iii, pp. 297 ff.) and Gattinara ("Historia vite", ed. C. Bornate, in *Miscellanea di storia italiana*, XLVII (1915), p. 235). It is worth noting that the Venetian diplomatists only hint at this *arcanum* but at no time speak of it openly, e.g. Tiepolo (Albèri, *Relazioni*, VOL. I, i, p. 69), during the lifetime of the pontiff. Against this cloud of contemporary witnesses to the Pope's fear of the Council his own words, even when embodied in official documents, are unable to prevail because they are confuted by events. In my opinion discussion can only be about the motives of this fear, that is, whether material or personal ones predominated, for there can be no doubt that both were at work. As for the birth of the Pope, I must point out that the Bull of Legitimation of 20 September 1513 (Balan, *Monumenta*, pp. 470 ff.) failed to remove the widely held opinion that Floreta had been the mistress, not the clandestine wife, of Giuliano de' Medici, were it only that before his investiture with benefices Giulio had not hesitated to pray for a dispensation from the "defectus natalium".

bind him in any way.<sup>1</sup> When approached with a request for a Council he promptly took evasive action. Both he and his legate Campeggio followed Aleander's advice<sup>2</sup>: "Never offer a Council, never refuse it directly; on the contrary, show a readiness to comply with the request but at the same time stress the difficulties that stand in the way; by this means you will be able to ward it off." On this principle Clement VII acted throughout his pontificate. When challenged with a demand for a Council, he never answered with a blunt negative; as a matter of fact, he answered in the affirmative on more than one occasion, but his assent was qualified by a number of clauses and by the hope that events would prevent the fulfilment of his promise. In his heart of hearts the Pope feared and abhorred a Council.<sup>3</sup>

The longer a Council was delayed, the more emphatically did Charles V become the driving power in the matter.<sup>4</sup> Charles was the son of easy-going Philip of Burgundy and unhappy Joanna of Castile. Under the supervision of his aunt Margaret he had been given a strict religious upbringing. But he had also been trained in the ways and manners of the Burgundian court. All his life, in spite of a gradual assimilation to a Spaniard's appearance, he retained his Burgundian nature. His love for knightly exercises and the solemn pomp that had obtained at the court of Philip the Good<sup>5</sup> he owed to his lay tutor

<sup>1</sup> P. Berti, "Alcuni documenti che servono ad illustrare il pontificato e la vita di Clemente VII", in *Giornale storico degli archivi Toscani*, II (1858), pp. 102-28; text of the election capitulation, pp. 107-16.

<sup>2</sup> Döllinger, *Beiträge*, VOL. III, p. 254.

<sup>3</sup> Thus also Rassow, *Kaiseridee*, p. 34; for the Pope the Council was the heaviest blow that could have been dealt him.

<sup>4</sup> It will be enough to single out here the monograph by K. Brandi, *Kaiser Karl V*, a remarkable work on account of the author's mastery of his material. In a second volume, *Quellen und Erörterungen*, the pertinent literature is presented not in the form of a dead bibliography but in that of a lively discussion. The vast collection of sources about which he and his collaborators were wont to keep us informed in *Nachrichten der Göttinger Akademie* is not likely to be published in present circumstances. The Spanish conception developed by R. Menéndez Pidal, *La idea imperial de Carlos V* (Madrid 1940), is also held by F. Cereceda, "Origen español de la idea imperial en Carlos V", in *Razón y Fe*, CXXVI (1942), pp. 239-47. For Charles's attitude to the Council see Rassow, *Kaiseridee*, which is still a useful source of information. I was unfortunately unable to consult O. Lehnoff's *Die Beichtväter Karls V* (Dissertation, Göttingen 1932). Utterly foreign to Charles's mind was the "romgelöste deutsche Kaiseridee" of some German humanists and dreamers of whom W. Köhler speaks in his essay "Die Deutsche Kaiseridee zum Anfang des 16. Jahrhunderts", in *H.Z.*, CXLIX (1934), pp. 35-56.

<sup>5</sup> For Burgundian culture see the colourful descriptions of J. Huizinga, *Herbst des Mittelalters*, 2nd edn. Munich 1928 (Eng. edn., *The Waning of the Middle Ages*, London 1924); "L'Etat Bourguignon, ses rapports avec la France et les origines d'une nationalité néerlandaise", in *Le Moyen Age*, XL (1940), pp. 171-93; XLI (1931),

Chièvres, while for his deep, solid and enlightened piety and his devotion to the Holy See he had to thank his ecclesiastical teacher, Adrian of Utrecht, the future Pope. In 1516 he came of age and so entered first into the inheritance of one grandfather in Spain, and on his election as Emperor into that of the other in the Empire. Chièvres, who leaned towards France, remained at the head of affairs until 1521 when the Piedmontese Gattinara, who had succeeded Sauvage as Grand Chancellor, took over from him. Gattinara's position by the side of the young prince differed from that of a Grand-Chamberlain. He was not a guardian; his task was to educate the prince for independent action. Under his wise guidance Charles grew up amid the problems, big with consequences, with which this third decade of the century faced him, as the autocrat of the first world-wide empire known to Western history since the fall of the Roman Empire.

Gasparo Contarini, who had watched the young monarch over a period of several years, draws a masterly portrait of him.<sup>1</sup> He describes him as "well-proportioned in body—including even his prominent chin—second to none in his entourage in the use of arms; sincerely devout, a lover of justice, without a flaw in his character and with no taste for the amusements which young men usually delight in. The chase is his only recreation; the affairs of state constitute his real pleasure. The greater part of the day is spent in attending the sessions of the Council of State, where he gives proof of great powers of endurance. He speaks little and is less affable than his brother Ferdinand, stingy rather than liberal, and for that reason unpopular with the Spaniards and the Aragonese. His conduct remains unchanged in good and in bad fortune, but since his is a melancholy temperament he is more inclined to gloom than to cheerfulness. He is slow to forget injuries; he does not lust after territorial acquisitions, his ambition is to preserve what he has inherited and nothing would please him more than a great crusade and to fight in a big battle. The Spaniards have no real love for him because he continues to favour the Flemings among whom he grew up; they prefer his brother for whom, on the other hand, the Germans have no love because of his adoption of Spanish ways."

pp. 11-35, 83-96; "Burgund", in *H.Z.*, CXLVIII (1933), pp. 1-28, also in *Im Bann der Geschichte* (Basle 1943), pp. 303-39; *ibid.*, the fine character-study of Philip the Good as sketched in contemporary literature, pp. 340-76. On Charles's aunt, cf. C. de Wiart, *Marguerite d'Autriche* (Paris 1935), and Brandi, *Quellen*, pp. 62 ff., 73 ff.

<sup>1</sup> Albèri, *Relazioni*, VOL. I, ii, pp. 60 ff.; for later characteristics, Gachard, *Relations des ambassadeurs vénitiens sur Charles V et Philippe II* (Brussels 1855).



Later observers have added further traits to the Emperor's portrait in the period of his maturity and his triumphs, but the internal motive power of his rule remained unchanged, namely, a strong dynastic consciousness and a medieval conception of the imperial dignity. Both these dispositions were firmly anchored in a strong, living profession of Catholic Christianity. These sentiments are revealed in the above-mentioned protestation written with his own hand at the time of the Diet of Worms, in which the twenty-one-year-old monarch defined his attitude to Luther<sup>1</sup>: "I am a descendant of the Christian Emperors of the noble German nation and of the Catholic Kings of Spain, the Archdukes of Austria and the Dukes of Burgundy, all of whom were loyal sons of the Roman Church until death. I am ready at all times to defend the Catholic faith, the sacred ceremonies, decrees, ordinances and sacred traditions of the Church, for the glory of God, the spread of the faith and the salvation of souls. It would be an everlasting shame for myself, for you and for the noble German nation, who by a special privilege are called to defend and protect the Catholic faith, if in our time, I do not say heresy, but the mere suspicion of heresy, or any other injury to the Christian religion, were to gain ground through any fault of ours. . . ." The young monarch is conscious that it is his duty before God and before history to preserve the inheritance that came to him through his birth—his crown, lands, and peoples and the Christian way of life. He sees the vast territories he has inherited and the power they represent as a gift from God, calling for gratitude on his part. This he is resolved to show by his services to Christendom, of which his elevation to the Empire has made him the secular head. To serve Christendom is to make war against the infidels, to extirpate heresy, to cleanse the Church from abuses.<sup>2</sup> When, on the eve of the battle of Pavia, fear seized him that he might die without a single great achievement to his credit, there arose before his eyes the tempting vision of an expedition to Italy, the imperial crown, and the example of Charlemagne.<sup>3</sup> The coronation at Bologna was the realisation of this dream, even if only a partial one, as well as the symbol of the wonderfully complete philosophy of life of this, the last medieval Emperor.

<sup>1</sup> *R.T.A.*, VOL. II, p. 595; Charles spoke in the same terms at Augsburg in 1530, Rassow, *Kaiseridee*, p. 402 f.

<sup>2</sup> On the eve of the Diet of Augsburg, 14 June 1530, Loaysa reminded the monarch of an earlier protestation: "Que deseaba emplear su vida en defension de la fé, porque con otra cosa no os parecía poder recompensar las mercedes que de Dios habiades recibidos." *Coll. doc. inéd.*, VOL. XIV, p. 26, Rassow, *Kaiseridee*, p. 30.

<sup>3</sup> Brandi, *Berichte*, x, p. 258 f.; see below, p. 227, n. 2.

To a ruler inspired by such ideals the thought of a Council for the solution of pending ecclesiastical problems was bound to occur spontaneously; as a matter of fact the convocation of such an assembly had been one of his youthful dreams. "Even as a boy", he told Niccolò Tiepolo in 1530,<sup>1</sup> "I thought of making arrangements for a Council." As a mature man he became the most energetic and most persistent champion of the idea of a Council. The influence of his political tutor, Gattinara, had something to do with these dispositions.

Gattinara too was an adherent of the idea of a Council; in fact it was a substantial ingredient of his political philosophy.<sup>2</sup> Moved by Ghibelline ideals—which recall the memory of Dante—he never wearied of drawing Charles's attention to the fact that Italy was the key to his political predominance in Europe, and to press on him his own notions of empire and universal monarchy. In a memorial of the year 1523<sup>3</sup> the old the Emperor: "Your affairs are the affairs of the whole of Christendom and in a sense those of the whole world." Two years later he wrote that if the Emperor, in his role of advocate and defender of the Church, wished to turn all his strength against the enemies of the holy faith, to suppress the errors of Luther, to reform Christendom and to drive off the Turks, he must see to it that a Council was convened. We have already heard the High Chancellor's remark to Aleander at the Diet of Worms, that Luther's business could only be disposed of by a Council. That he viewed such a gathering as a reform Council we learn from his autobiography, in which he states that he had declined Leo X's offer of a cardinal's hat because he foresaw a great persecution of the clergy and felt that he could promote the reform of the Church

<sup>1</sup> J. von Walter, *Die Depeschen des Venezianischen Gesandten N. Tiepolo* (Berlin 1928), p. 66.

<sup>2</sup> K. Brandi, *Berichte*, ix, "Eigenhändige Aufzeichnungen Karls V aus dem Jahre 1525"; "Der Kaiser und sein Kanzler", in *Nachrichten der Göttinger Gesellschaft der Wissenschaften, phil.-hist. Klasse 1933* (Berlin 1933), pp. 240 ff. The chief source for the life of Gattinara is C. Bornate "Historia vite et gestorum per d. magnum cancellarium", in *Miscellanea di storia italiana*, XLVII (1915), pp. 231-585; the earlier bibliography by H. Van der Linden, "Le Chancelier Gattinara et la politique méditerranéenne de Charles Quint", in *Acad. Royale de Belgique, Bulletin des lettres*, CI (1936), pp. 361-72. It would be delightful, from the point of view of the history of ideas, to look for the sources of Gattinara's notion of the Council. The Pavia law school may be ruled out for he was self-taught on the whole and I am rather thinking of such authors as Roselli and Ludovicus Romanus. It may be that during his stay in Franche-Comté he became acquainted with parliamentary Gallicanism. The influence of his idea of a Council upon Charles V is not disproved by the otherwise very remarkable explanations given by Menéndez Pidal, *La idea imperial de Carlos V*, pp. 17 ff.

<sup>3</sup> Brandi, *Berichte*, ix, p. 243 f.; Balan, *Monumenta*, pp. 78 ff.

more effectively as a layman.<sup>1</sup> For all that, Gattinara realised full well what a formidable political weapon the demand for a Council might prove when used against a Pope such as Clement VII. The threat of a Council in 1526 was his work. Contrariwise, as often as he felt the need of securing the Pope's support for the Emperor's cause, he took good care not to put him out by talk about conciliar plans since this would have driven the pontiff into the arms of France. But as soon as he felt stronger he took them up once more. Thus, after the victory of Pavia, he advised the Emperor to proceed to Italy in order to restore peace to Christendom in conjunction with the Pope, to concert measures for war against the Turks and the suppression of Lutheranism and to make arrangements for a reform Council. But, he added, this last point should not be mentioned as yet because there was nothing the Pope was more afraid of than such a Council. On the other hand he would never convoke it of his own accord, hence the plan must be kept back until a suitable time.<sup>2</sup> It is clear that for Gattinara a Council was not just an ecclesiastical postulate, it was also an instrument of imperial power-politics and one of the requirements of *raison d'Etat*. His keenness for a Council subsided with the rise of political misgivings; he only took action when the Emperor removed the question of the Council from the sphere of diplomacy to transfer it to that of conscience. Charles V himself confirms the fact in his memoirs, when he says that from the year 1529 he had steadily worked for a Council.<sup>3</sup> Up to that time Gattinara had always restrained him whenever he took a step in that direction.

The Venetian envoy, Giustiniano Capello, reports that Francis I of France was wont to say that the Emperor went out of his way to do always the opposite of what he himself was doing.<sup>4</sup> As a matter of fact the "roi chevalier", whose passion for tournaments and the chase was only equalled by his passion for women, formed in many respects a complete contrast to the Habsburg ruler.<sup>5</sup> His imposing appearance and regal dignity, joined with great affability, won for him the love of his people; his wit and his ability to speak with ease on every possible

<sup>1</sup> Bornate, "Historia vite", in *Miscellanea di storia italiana*, XLVII (1915), p. 277 f.

<sup>2</sup> Bornate, "Historia vite", *ibid.*, p. 463.

<sup>3</sup> A. Morel-Fatio, *Historiographie de Charles-Quint*, VOL. I (Paris 1913), p. 254 f.

<sup>4</sup> Albèri, *Relazioni*, VOL. I, i, p. 204.

<sup>5</sup> Among modern character-sketches I mention the following: Ranke, *Französische Geschichte* (Stuttgart and Tübingen 1852), VOL. I, pp. 84-115; Lavissee-Lemonnier, *Histoire de France*, VOL. V, i (Paris 1911), pp. 187-95; F. Hackett, *Francis the First* (New York 1936), "colourful but pure journalism" in Brandi's opinion (*Quellen*, p. 81). Ch. Terrasse, *François I, le Roi et le Règne* (Paris 1943), up to the Peace of Madrid.



MARTIN LUTHER AS A MONK  
*After the engraving by Cranach in the British Museum,  
dated 1520*

subject fascinated ambassadors while his patronage of literature and the arts attracted humanists and artists to France. Although he never missed an opportunity to boast of his Catholicism and his devotion to the Holy See and suppressed the French followers of Luther, he lacked any deep personal piety. While Charles V devoted every hour of the day to the discharge of his duties, Francis, to the despair of the papal nuncio Acciajuoli,<sup>1</sup> would spend whole days in frivolous amusements or in the chase and so let slip important political opportunities. Spoilt from his childhood by his mother and sister, he remained all his life an egoist of disarming naivety, with a gift of dazzling people, not without noble and generous feelings but lacking that loyalty and reliability which presuppose a solid moral foundation. There were times when he felt the urge to do great things but indolence rendered him irresolute in the affairs of state and he was for ever dependent on an all-powerful minister, whether it was Louise of Savoy or Montmorency. He was always ready with promises which were never followed by deeds; skilful in looking after his own interests, he knew no scruples in the choice of means—in a word, Francis was a prince after Macchiavelli's own heart and poles apart from the ideals that inspired the soul of Charles V.

As the ruler of the most populous and most powerful single state in Europe, Francis I was not prepared to surrender the hegemony of the continent to the Habsburg monarch, his superior by reason of the number and extent of his widely distributed states, though not their homogeneous strength. Francis's whole life was accordingly one long fight—a political and military duel—with his slow-moving, cautious but tenacious opponent. The chief prizes of the contest were, firstly, the Duchy of Milan, the possession of which would secure for Francis the mastery of Italy and deprive his adversary's two great territorial masses of their connecting link, and, secondly, that pearl of the Burgundian dominions—the Netherlands. It was an advantage for him that he had behind him a willing, united country whose aristocracy fought his battles, whose clergy provided him with diplomats and money, whose people paid high taxes and endured the hardships of his many campaigns. Uninhibited by religious considerations, the Most Christian King joined hands with Charles's enemies—the Turks and the German Protestants—and allied himself with them in order to weaken the power of the Habsburg world-empire. The Emperor was never able to understand why this open treason to the cause of

<sup>1</sup> Fraikin, *Nonciatures de Clement VII*, vol. I, p. 213 f.

Christendom did not immediately cause the Pope and other Christian princes to swing round to his side. But the Emperor's thoughts were still running in the categories of medieval universalism, whereas his opponent pursued the policy of a European equilibrium to which, in his opinion, infidels and heretics alike should make their contribution.

In the eyes of Francis I a Council was no longer a representative assembly of Christendom, as it had been viewed in the early and late Middle Ages. For him it was only a move on the chess-board of European politics by which the Emperor sought to defeat political and religious opposition within the Empire, to obtain help against the Turks and to extend his personal power. It was precisely this that Francis wished to prevent. Thus it came about that the French King became the most powerful opponent of a Council. During two whole decades he thwarted every attempt to secure Luther's condemnation and the solution of the problem of reform by means of a Council. The historic opposition between the house of Habsburg and the house of Valois<sup>1</sup> became the chief political obstacle to a Council. France, that citadel of conciliar theory, did more to prevent the Council of Trent than any other country.

If we would understand the course of the mighty struggle between the two monarchs we must retrace our steps somewhat and recapitulate what has been said already. The prelude to the first campaign, which lasted seven years, was Robert von der Mark's irruption into the Low Countries in the spring of 1521 and the attack of the French against Navarre. At this time, that is on 28 May 1521, Charles V was concluding the alliance with Leo X which protected his flank in Italy. On his part the Emperor undertook to reinstate the Sforzas in the Duchy of Milan, to restore Parma and Piacenza to the States of the Church and to guarantee the sovereignty of the Medici at Florence. The negotiations for a compromise over which Cardinal Wolsey presided

<sup>1</sup> The earlier German, Italian and French specialised works on the course of the war (especially Grethen, Hellwig, Balan, Professione) are listed by Pastor, VOL. IV, ii (Eng. edn., VOL. VIII). His views agree with those of Ehses in "Die Politik Clemens' VII bis zur Schlacht von Pavia", in *H. J.*, VI (1885), pp. 557-603, VII (1886), pp. 553-593. G. de Leva's presentation, *Storia documentata di Carlo V in correlazione all' Italia*, VOL. II (Venice 1864), remains indispensable by reason of its documentation. E. Pacheco y de Leva, *La Política española en Italia. Correspondencia de Don Fernando Martín, Abad de Nájera con Carlos V*, VOL. I (Madrid 1919), embraces only the years 1521-3. K. Brandi, "Der Weltreichsgedanke Karls V", in *Ibero-amerikanisches Archiv*, XIII (1939), pp. 259 ff., makes the acute observation that the opposition between Charles and Francis was but the continuation of the opposition between the houses of Burgundy and Valois.

at Calais and Bruges came to nothing. Gattinara gave it as his opinion that war was inevitable. On 19 November 1521 Charles V's generals Colonna and Pescara entered Milan and their victory at Bicocca, on 27 April 1522, overthrew the French domination in Lombardy. Gattinara's first objective had been attained; another beckoned from near by. The elevation of Adrian of Utrecht to the Papacy opened the prospect of a much closer and firmer understanding between the two heads of Christendom than had been possible under Leo X. However, the one-time teacher now disappointed his pupil. Adrian refused to lend the Emperor any active assistance; on the other hand he carefully refrained from the least symptom of partiality towards France, and all the time he urged the need of warlike action against the Turks. This attitude of the Pope hit Charles V all the more painfully as in the meantime his military situation had deteriorated and he experienced the greatest difficulty in extricating himself from his financial straits; hence he felt greatly relieved when, after the fall of the traitor Cardinal Soderini on 30 April 1523, the Pope proclaimed a three years' truce. However, the swing-round came too late: four months later Adrian was dead.

It looked as if his successor would at the very least turn to Leo X's policy; but Clement VII also proved a disappointment for the Emperor. While Schönberg's two missions to the courts of France, Spain and England were little more than a peace gesture which the Pope owed it to his office to make, other symptoms showed that the Pope was bent on pursuing an Italian, and above all a Medician policy. In this political scheme Milan dependent on France would constitute a natural counterpoise to Naples controlled by the Habsburgs. The Pope accordingly refused openly to renew the convention of 1521. He continued to pay his subsidies, but did so in secret, and ended by sending to the theatre of war in Upper Italy an ardent Italian patriot, Gian Giberti, who was nevertheless heart and soul with the French. In northern Italy the situation had changed in favour of the latter. The defection of the Connétable Charles de Bourbon and his throwing in his lot with the Emperor did not produce the results that had been expected. While an imperial army vainly besieged Marseilles, Francis I invaded Lombardy at the head of a powerful army and occupied Milan on 26 October 1524. Was Charles VIII's victorious progress about to be repeated?

Clement VII had not forgotten the fate of his house on that occasion. Though he could not shut his eyes to the dangers to which another

march of the French upon Naples exposed the Papacy and the States of the Church, he thought the safest course was to support what looked like the winning side. He accordingly concluded a treaty with Francis I on 12 December 1524, by the terms of which he granted the French troops a passage through the Papal States. However, all his calculations were shattered by the crushing defeat of the French at Pavia on 24 February 1525. This victory made the Emperor the unchallenged master of Italy, not to say of Europe. To the French King, now his prisoner, he dictated the Peace of Madrid (14 January 1526), the conditions of which could not possibly be fulfilled. The Pope deemed it expedient to attempt a *rapprochement* with Charles. But at this moment fear of the hegemony of the house of Habsburg once more brought together all its enemies and won new ones for it. England, until now the Emperor's ally, concluded an advantageous separate peace with France. In Italy, the Emperor's enemies sought to win over to their side Pescara, the commander of Charles's armies, with a promise of the crown of Naples. With his help they hoped to shake off the Spanish yoke and to restore her liberty to Italy. Pescara was not to be tempted. The Emperor had the chief instigator of the plot, the Milanese Chancellor Girolamo Morone, thrown into prison and took the duchy under his immediate control. This was precisely what both Clement VII and Giberti had been most afraid of. Thereupon the Pope openly took the part of Francis I, who had been set at liberty in the meantime and now refused to implement the terms of the Peace of Madrid. On 22 May 1526 the Pope concluded with him the League of Cognac.

We pass over the confused negotiations that ensued: they culminated in the horror of the "Sack of Rome". On 6 May 1527, a mutinous imperial army composed of Germans, Spaniards and Italians and led by the Connétable seized Rome and sacked it ruthlessly. The Pope was besieged in the Castle of Sant' Angelo. On 5 June he was forced to capitulate; he remained a prisoner in the castle and was only set at liberty six months later. Thus a Medici was forced to look on while the Rome of the Renaissance was being battered by barbarians who executed with sacrilegious fury the judgment foretold by Savonarola. There was only one thing for him to do—he must come to terms with the Emperor. On 29 June 1529 the Pope concluded the Peace of Barcelona with Charles V and on 3 August of the same year Francis I followed suit with the conclusion of the "Ladies' Peace" of Cambrai.

It was necessary to describe this medley of negotiations, alliances



and battles so as to make it perfectly clear that a truly oecumenical Council—one that could deal with questions of faith and reform—could not be thought of during those years. Not one of those in a position of authority—they all belonged to the Latin world—fully appreciated the import of the religious movement in Germany. All three treated the question of a Council more or less as a political opportunity, as in the days of Louis XI, not as a requirement of the Church. Prisoners as they were of the old way of seeing things, they kept to the track laid down in those days. Not one of them really wanted a Council. As star shells momentarily light up a nocturnal battlefield only to go out after a brief while, so did the idea of a Council arise in the course of the negotiations only to fade out before a single step had been taken to bring it about. The initiative lay with the imperial court. We have already mentioned in the previous chapter that in the summer of 1524, when the Emperor forbade the projected national council of Speyer, he instructed his Roman ambassador to press the Pope to convoke a General Council. With a view to calming the Pope's fears he assured him that he would protect him in every way; he even let it transpire that he would put no obstacle to the translation of the Council from Trent, which he had proposed for the gathering, to some town in Italy and even to Rome itself. Yet the Duke of Sessa did not dare to carry out his commission<sup>1</sup> lest the mere mention of the word Council should definitely throw the Pope into the arms of the French King. The imperial proposal for a Council was not delivered. Clement VII, however, had seen it coming and had long ago taken his counter-measures: they came out of the political-ecclesiastical arsenal of the Renaissance Popes. A Roman reform convention, reinforced by representatives of foreign nations, would render a General Council superfluous. A plan of this kind undoubtedly existed, but owing to the fragmentary nature of the account that has come down to us our reconstruction of it must of necessity be incomplete.

It would seem that the preparations for this Roman reform convention dated from the first months of Clement's pontificate. They were not prompted by the decisions of Nuremberg. In a letter to the Emperor, dated 31 July 1524,<sup>2</sup> Clement wrote: "Soon after the beginning of our pontificate we summoned prelates and bishops from

<sup>1</sup> Instruction of 24 July 1524, Heine, *Briefe*, p. 518 f.; without date in Balan, *Monumenta*, p. 351 f.; *Cal. of St. Pap., Spain*, VOL. II, p. 660 (24 August 1524).

<sup>2</sup> Balan, *Monumenta saec. XVI*, pp. 24 ff.; corresponding answer to the chancellor of Gnesen, Miskowski, *Acta Tomiciana*, VOL. VII, pp. 285 ff.

almost every nation, so that we might have the benefit of their counsel and their co-operation in the task of the reform of the Church." One of those summoned at that time we know: he was Bishop Bobadilla of Salamanca. The fate of his summons was also the fate of the reform convention. Just as Bobadilla was about to obey the call he received two imperial orders enforcing the duty of residence and threatening him with the sequestration of his revenues in case of non-compliance. Bobadilla bowed to the injunction. There was no doubt about it, the Emperor was determined to do his utmost to prevent the convention. However, the Pope stuck to his plan. In the autumn of 1524, made wise, perhaps, by his experience with Spain, he requested King Sigismund of Poland to despatch some Polish prelates to Rome for the purpose of discussing the question of Church reform. However, at this very time the King had taken the field. The Pope's letter was put on one side. The King only answered it on 1 May 1525. In principle, he wrote, he was willing to comply with the Pope's request; but he feared that the proposed measures were inadequate; what was needed was a General Council. This reply was as good as a refusal, all the more so as the Archbishop of Gnesen, John Laski, who had inspired it, was at this very time making a formal proposal, through Chancellor Miskowski, for the convocation of a General Council<sup>1</sup> and at this very moment was successfully engaged in persuading Hungary to make a similar demand.<sup>2</sup>

A memorial on the projected convention which Clement VII submitted to the Grand Chancellor Gattinara, probably through Cardinal Salviati, in the spring of 1525,<sup>3</sup> also failed to elicit a favourable reply. The Pope saw clearly that his project could not be carried into effect. In a letter to King Sigismund, dated 2 June 1525,<sup>4</sup> he admits in a tone of resignation that not a single foreign prelate had complied with his invitation; hence the projected convention must be postponed until less troublous times. The attempt to forestall the demand for a Council by means of a Roman reform convention had not only proved a pitiable failure, it had actually provoked a fresh proposal for a Council. In point of fact, no one could believe that such a project had any chance of success unless his mind continued to stick to the obsolete track of

<sup>1</sup> Theiner, *Mon. Pol.*, VOL. II, p. 427 f.; *Acta Tomiciana*, VOL. VII, pp. 282 ff.

<sup>2</sup> The Polish envoy Tarnowski was assured by the Archbishop of Gran "velle se hoc ipsum facere et committere suo oratori", *Acta Tomiciana*, VOL. VII, p. 306 (23 July 1525).

<sup>3</sup> Rome, Biblioteca Corsiniana, codex 677, fols. 492-495.

<sup>4</sup> *C.T.*, VOL. IV, p. xxl.

Renaissance politics and thus completely misjudged the situation created by the rise of Lutheranism.

After the Emperor's overwhelming victory at Pavia there was no longer any reason for him to hold back the demand for a Council which he had allowed to drop in the summer of 1524. In view of Gattinara's political creed Clement VII had cause to fear that the Emperor himself would come to Italy to reopen the question of a Council.<sup>1</sup> He sought the cardinals' opinion about the attitude which Cardinal Salviati, who had been accredited to the imperial court, should adopt towards such a plan. His fears were premature, for in the course of the summer the Emperor's position had deteriorated to such a degree that prudence obliged him to avoid irritating the Pope by inconsiderate talk about a Council; in fact he expressly warned his brother Ferdinand to commit no such folly.<sup>2</sup> With a view to calming the Pope, a plan for a princes' convention on the model of the one held at Mantua under Pius II was elaborated. Its aim would be to unite the forces of Christendom for a common objective, that is the fight against the Turks and against heresy.<sup>3</sup> By the terms of the Peace of Madrid the two contracting parties bound themselves to propose to the Pope a convention of this kind.<sup>4</sup> Thus Gattinara returned to the Papacy the ball which the Renaissance Popes had first thrown into the field in the hope of thereby saving themselves from a demand for a Council.

The imperial court adopted a very different tone as soon as the Pope joined the hostile League of Cognac; in fact, Charles V went so far as to threaten an opposition Council, a Council hostile to the Pope. When the papal nuncio Baldassare Castiglione presented the brief dated 23 June 1526<sup>5</sup> in which the Pope justified his latest change of policy the Emperor became greatly agitated. He described the reproaches levelled at him in the papal brief as so many lies and for the first time let fall the word "Council".<sup>6</sup> At the next audience, on 17 August, he told the nuncio that in view of accusations of such gravity he felt bound to justify his conduct before the whole world; this could only be done

<sup>1</sup> Marco Foscarini, Sanudo, *Diarii*, vol. xxxix, pp. 101, 115.

<sup>2</sup> Bucholtz, *Ferdinand I*, vol. II, p. 306 (31 October 1525).

<sup>3</sup> Charles V to Clement VII, 21 July 1525, Balan, *Mon. saec. XVI*, p. 350.

<sup>4</sup> *C.T.*, vol. IV, p. xxiii.

<sup>5</sup> Le Plat, vol. II, pp. 240-6; Balan, *Mon. saec. XVI*, pp. 364-71.

<sup>6</sup> What follows is based on Castiglione's letters to Jacopo Salviati and Schönberg, 8 September 1526, Serassi, *Lettere del Castiglione*, vol. II, pp. 64-85. For a character-sketch of Castiglione, cf. "Graf Castiglione und die Renaissance", in *Archiv für Kulturgeschichte*, x (1913), pp. 245-71. The biography by E. Bianchi di San Secondo, *B. Castiglione nella vita e negli scritti* (Verona 1941) is a popular work.

before a Council. Castiglione—the author of *Il Cortegiano*—did not lose his self-control, though he was very much perturbed by the rumours that circulated at the imperial court. On the following day, in an address of some length, he represented to the Emperor the grave dangers which his threat would conjure up. The Pope would have to have recourse to his spiritual weapons which, as everybody knew, inflicted far greater injury than weapons of steel, and every possibility of an understanding would be finally cut off. However, the Emperor refused to give up his plan. What other remedy was left to him, he asked? By his command a reply to the accusations of the brief destined for the general public was drawn up. The asperity of its tone was without precedent in imperial policy. Its author was the imperial secretary, Alfonso Valdés, a follower of Erasmus. The imperial council approved the document, though after some pruning, which removed the sharpest passages.<sup>1</sup> Its object was to forestall whatever legal steps the Pope might take with a view to the Emperor's deposition: it was a formal admonition to the Pope to speed a Council—neither more nor less.<sup>2</sup> The Emperor, it said, was at all times prepared to co-operate with the Pope, that other luminary of Christendom, but if he spurned his peaceful proposals the responsibility for the evils that would ensue for Christendom must be the Pope's. He himself had always been willing to justify his conduct before a General Council representing the whole of Christendom, and to be judged by such an assembly. The warning concludes in these terms: "We pray and exhort your Holiness to convoke the holy General Council in virtue of your pastoral office, for the greater good of the flock entrusted to your care. Let the Council be summoned to a suitable and safe place and within a fixed time-limit. The good order of the Church and the Christian religion no less than our own interests and those of Christendom are endangered, as appears from the reasons here given and from others. We accordingly deem it necessary to pray for a holy General Council."

This was the language of a canonical admonition. If the Pope took no notice, the right of convocation, in the opinion of the imperial

<sup>1</sup> From Dantiscus's report (*Acta Tomicihana*, VOL. VIII, p. 356) we learn how the brief of 23 June was received by Gattinara's entourage. For that entourage see M. Bataillon, *Erasme en Espagne*, pp. 395.

<sup>2</sup> Le Plat, VOL. II, pp. 247-88. As late as 17 September the Emperor had handed to the nuncio a much more disarming text (Serassi, *Lettere del Castiglione*, VOL. II, pp. 88 ff. On the contemporary polemical Dialogues of Alfonso Valdés, *Diálogo de las cosas ocurridas en Roma*, and *Diálogo de Mercurio y Carón*, newly published by J. F. Montesinos in *Clásicos Castellanos* (Madrid 1928-9), cf. Bataillon, *Erasme en Espagne*, pp. 399 ff., 410.

canonists, devolved to the College of Cardinals. Small wonder, then, that the Emperor should have warned that body on 6 October 1526, to act, "as in law bound", should the Pope refuse to convoke a Council or inordinately delay it.<sup>1</sup>

The presentation of the reply was made in strict conformity with legal formalities. It was merely read to the nuncio; by the Emperor's formal command the Roman ambassador Pérez was to hand it to the Pope in a secret consistory, in presence of a notary and witnesses so that the document thus formally authenticated might be produced in evidence at any time.<sup>2</sup> On a lawyer such proceedings must have had the effect of a thunderclap.

The Pope was so put out by the Emperor's agent that at the next audience he completely ignored him. But he was greatly intimidated. None of the cardinals saw the original of the Emperor's reply; they asked Pérez for a copy; it was in vain, for he had none.<sup>3</sup> However, they somehow got knowledge of its contents. This was another cause of complaint by the Pope. What was the reason for all this secretiveness? The answer is not difficult. The fact was that the Pope did not feel sure of the cardinals; he was afraid of opposition on their part, perhaps even of a repetition of the schism of 1511. His anxiety was not altogether groundless. When the monarch's letter to the cardinals was read and discussed in the consistory of 21 December, there ensued a heated discussion on the Emperor's right to convoke a Council.<sup>4</sup> Behind these discussions which, in the main, were purely theoretical, there was nevertheless an actual opposition which came out into the open when at the consistory of 29 December the Pope published the text of the imperial reply and appointed a commission of nine members for the purpose of studying it. One group of cardinals opposed the rejection of the Emperor's demand for a Council and insisted that it should be allowed and the time and place for the Council determined.<sup>5</sup> The discussion dragged on for over a month. The commission examined both the

<sup>1</sup> Le Plat, VOL. II, pp. 290-4.

<sup>2</sup> Notary's instrument in Le Plat, VOL. II, p. 294 f. On this incident and the narrative that follows, cf. Pérez's reports of 15 and 24 December 1526 and 10 and 26 January 1527, *Cal. of St. Pap., Spain*, VOL. III, i, Nos. 633, 642; III, ii, Nos. 3 and 9.

<sup>3</sup> *Cal. of St. Pap., Spain*, VOL. III, i, p. 1056 f. (No. 642).

<sup>4</sup> With the editor, Gayangos (*Cal. of St. Pap., Spain*, VOL. III, i, p. 1056), I connect Pérez's remark that "the Emperor's letter" had been read on 21 December, with the letter of 6 October to the cardinals because the Pope's second letter of 18 September, which one might think of, would scarcely have occasioned the dispute mentioned by Pérez. The difficulty remains that the Emperor's letter to the cardinals was also read on 28 December, together with the *monitorium*, *C.T.*, VOL. IV, p. xxiv.

<sup>5</sup> *Cal. of St. Pap., Spain*, VOL. III, ii, p. 8 (No. 3).

*quaestio facti*, that is, whether a Council should be held, and the *quaestio juris*, that is, whether the Emperor had any right at all to demand a Council.<sup>1</sup> No decision was reached, for while in the course of the negotiations with the Emperor's *chargés d'affaires*, de Lannoy, Quiñónez and Fieramosca, the whole problem seemed to be taking a more friendly turn, the approach of the imperial army put an abrupt end to further discussions. It had nevertheless become apparent that in the matter of the Council the Pope did not have all the cardinals with him. One of them even dared at this very time to lodge an appeal to a Council. His action had no immediate connexion with the Emperor's admonition; it was only the epilogue of a tragedy of the darkest years of the Middle Ages, namely the armed attack of the Colonna on the Vatican and the Borgo on 20 September 1526. On 7 November the Pope had summoned the instigator of the opposition, Pompeo Colonna, to appear before him, but like his ancestors Giacomo and Pietro Colonna in the days of Boniface VIII, Pompeo refused to account for his conduct. On 8 November, from Naples, he lodged an appeal to a future Council whose task it would be to examine the legality of the Pope's election. A Council alone, he alleged, not the Pope, had the right to degrade a cardinal.<sup>2</sup> On 13 November he reiterated his appeal and at the same time proclaimed—all by himself—a General Council which was to meet at Speyer on 14 January 1527.<sup>3</sup>

Cardinal Pompeo Colonna's conciliar appeal was but an incident, but it might have gained some importance if anything had come of the Emperor's threat of a Council. When one reads the documents exchanged between Pope and Emperor, one gets the impression that a grim struggle over principles was preparing between the two heads. Actually no conflict of the kind ever broke out and the above impression vanishes entirely as one studies a series of contemporary documents and pronouncements by the persons concerned. Swords were drawn, but

<sup>1</sup> *Cal. of St. Pap., Spain*, VOL. III, ii, p. 39 (No. 9).

<sup>2</sup> I have not been able to see the text of the *Convocatio concilii generalis super privatione Clementis VII per Pompeium Card. Columnam*, Leyden, University Library, cod. 41, quoted by Pastor, but in the State Archives of Modena (Roma 110) I was able to consult a copy of the two appeals and the proclamation of the Council printed at Naples on 28 November 1526; cf. also Sanudo, *Diarii*, VOL. XLIII, p. 448.

<sup>3</sup> The author of the *Consultatio de concilio generali*, Petrus Albinianus Tretius (37 leaves, dedication copy), which is preserved in Cod. Vat. lat. 3664, was evidently not cognisant of the text of the appeal. Tretius writes that it is reported (*dicitur . . . emanasse*, fol. lv) that it was "sacratissimi Romanorum regis ac imperatoris consensu". The aim of the hasty and superficial work is to prove that both appeal and citation are invalid. The chief authorities invoked are Panormitanus, Felinus and San Giorgio.

here was never any danger of their being crossed: one hand threatened, the other stroked.

In the course of his negotiations with Castiglione the Emperor repeatedly assured the nuncio that his filial devotion towards the Pope remained unaltered; that he did not feel hurt and had no wish to hurt. Provided he was properly treated, he would be subject to the Pope like a good son to his father. "If I tell you lies," he exclaimed, "you may regard me as a good-for-nothing."

The sincerity of the Emperor's declarations is not in doubt; they were actually put down in writing. Charles had no intention of pushing things too far; he went on hoping that the Pope would alter his policy. He was actually playing a double game—but so was Clement VII. The Pope followed up his first brief, one full of reproaches, with another couched in milder terms and instructed his nuncio to keep the former back.<sup>1</sup> However, both the instructions and the second brief came too late. When Castiglione subsequently produced them the Emperor's reply was short but conciliatory in tone.<sup>2</sup> The same monarch who on 17 September had approved the admonition now sent the Pope a soothing letter on 26 September: he was far from arrogating to himself the right to convoke a Council, he wrote; he would never take a single step in that direction without the Pope's consent.<sup>3</sup> He wrote in the same strain to the General of the Franciscans Quiñónez who, as already stated, had been engaged all that autumn and winter, in conjunction with de Lannoy and Schönberg, in working for an accommodation.<sup>4</sup> He came very near succeeding. If during those months the Pope betrayed more than once symptoms of discouragement and timidity, declaring that he would prefer to lead a *vita da prete*,<sup>5</sup> his depression must not be exclusively ascribed to the threat of a Council for he was equally harassed by lack of money, the failure of French assistance and the danger to which the city of Rome was exposed. If he had been in earnest we should have heard of counter-measures. He knew that the Emperor's sole object was to detach him from the League of Cognac.

The catastrophe of the "Sack of Rome" created an entirely new situation. To all appearances, the Pope was at the mercy of the Emperor and incapable of resisting a demand for a Council should he decide to make it. Charles V was urged to take advantage of the

<sup>1</sup> Le Plat, VOL. II, p. 246 f.; Balan, *Mon. saec. XVI*, p. 233 f. (25 June).

<sup>2</sup> Le Plat, VOL. II, p. 289 f. (19 September).

<sup>3</sup> Serassi, *Lettere del Castiglione*, VOL. II, p. 92 f.

<sup>4</sup> Bucholtz, *Ferdinand I*, VOL. III, p. 49.

<sup>5</sup> Sanudo, *Diarii*, VOL. XLIII, p. 670.

situation. On 30 May his brother Ferdinand wrote to him<sup>1</sup>: "Now you have the Pope in your hands; now the Catholic faith may be restored and a successful Council held." In a memorial dated 7 June, Gattinara who had gone to his estate in Piedmont advised his master to address a circular to kings and princes, declining all responsibility for the outrages committed in Rome and at the same time proposing the convocation of a Council for the purpose of restoring peace, extirpating heresy and reforming the Church.<sup>2</sup> The Grand Chancellor went so far as to suggest that, whether convened with or without the Pope, the future Council should call him to account for his government and enforce his deposition or at least his resignation; in any case it should destroy him morally.<sup>3</sup> A second Sutri would frustrate the enemies' plan to form an ecclesiastical opposition government on the plea that the Pope was a prisoner.<sup>4</sup> If at all feasible the convocation should come from the Pope himself. The Emperor's instructions for Pierre de Veyre who was despatched to de Lannoy, the viceroy who was about to negotiate with Clement VII, expressed the hope that the catastrophe might open the way to peace and a Council and that the reform of the Church decreed by that assembly might also solve the Lutheran problem.<sup>5</sup> So confident was Charles that he had the Pope in his hand, that he deemed it superfluous to put him under further pressure, and in his letters to the College of Cardinals and the Kings of Portugal and Poland he carefully avoided all mention of a Council.<sup>6</sup> If Alfonso Valdés canvassed the Polish envoy Dantiscus for the conciliar project, he did so clandestinely and without betraying his hostility towards the Pope.<sup>7</sup> He succeeded so well that King Sigismund formally requested the Emperor to press the Pope for a Council since his own efforts both with Leo X and the present pontiff had been of no avail.<sup>8</sup> This was

<sup>1</sup> Brandi, *Quellen*, p. 184.

<sup>2</sup> Brandi, *Berichte*, ix, p. 252 f.

<sup>3</sup> According to the autobiography Gattinara represented to the Emperor that the "Sack of Rome" could be justified "tanquam in pseudopontificem scandalosum, incorrigibilem ac universum christianae religionis statum perturbantem, universaleque concilium sepius imploratum detractantem". Bornate, "Hist. vite", in *Miscellanea di storia italiana*, XLVII, p. 348. This was the kind of argument the canonists were in the habit of urging as valid reasons for the deposition of a Pope.

<sup>4</sup> Pastor, VOL. IV, ii, p. 303 (Eng. edn., VOL. IX, p. 446).

<sup>5</sup> Bucholtz, *Ferdinand I*, VOL. III, p. 96 (29 July 1527).

<sup>6</sup> *Cal. of St. Pap., Spain*, VOL. III, ii, Nos. 124, 135-8, 142 f. The letter to Sigismund of Poland dated 31 July (*Acta Tomiciana*, VOL. IX, p. 240 f.) urges the King "publicam nobiscum causam complecti", by which is meant the Council.

<sup>7</sup> Dantiscus to King Sigismund, 17 August 1527, *Acta Tomiciana*, VOL. IX, p. 257.

<sup>8</sup> *Acta Tomiciana*, VOL. X, p. 356 f.



in the month of August 1528. Meanwhile the whole situation had undergone a complete change.

The Pope is never so strong as when in chains. From every quarter hands were stretched out to loosen his bonds. In August 1527 Cardinal Wolsey brought about an agreement between the Kings of France and England by which they bound themselves to resist by every means in their power the convocation of a Council by the Emperor alone, or by the Emperor with the consent of the Pope, or by the latter alone, and only to assent to such an assembly by mutual agreement.<sup>1</sup> In this way any conciliar attempt during the Pope's imprisonment was blocked and the weapon of a Council blunted since the liberation of the Pope was a preliminary condition for any further step in the matter. Gattinara himself came round to this view. He represented to the Council of State<sup>2</sup> that it was a mistake to imprison the Pope as one might imprison a secular potentate. No action could be taken against him unless he were guilty of simony.<sup>3</sup> The only thing to do was to set him at liberty, subject to certain guarantees, and induce him to call a Council. The best thing would be if the Emperor were to proceed to Rome in person, at the earliest date possible, to have himself crowned and to make arrangements for a Council in conjunction with the Pope.

The Pope was set at liberty on 6 December 1527 and thus recovered his freedom of action. This meant that the imperial policy was confronted with the same problem as previous to the victory of Pavia—that of persuading the Pope of the need of a Council. In view of other questions then pending recourse was had to the old tactics, namely to keep the delicate question in the background lest the partner in the negotiations should prove intractable, seeing that the chief aim was the conclusion of a separate peace with him. Now that the defeat of the French in Lombardy and before Naples had put an end to all expectations of his ally's victory, Clement VII was ready for peace.

The imperial negotiators deemed it nevertheless inadvisable to hamper the peace negotiations by prematurely dragging in the question of a Council. This accounts for the complete silence about plans for Council and reform in the Emperor's letters and instructions in the

<sup>1</sup> Le Plat, VOL. II, pp. 296 ff. (18 August 1527).

<sup>2</sup> Brandi, *Kaiser Karl V*, pp. 227 (Eng. edn., p. 262).

<sup>3</sup> A commentary on the Bull *Cum tam divino* by Petrus Andreas Gammarus was published in Rome in 1528 in connexion with plans for proceedings against Clement VII on account of alleged simoniacal practices at his election. This action would have proceeded on the basis of the Bull of Julius II. The object of the work is to counter the danger of a schism which that "perniciosum decretum" rendered more acute. There is a copy in the Vat. Lib., Vat. lat. 3914, fols. 61<sup>r</sup>-109<sup>v</sup>.

autumn of 1528.<sup>1</sup> Similar precautions were apparently observed in the deliberations with Quiñónez whom the Pope had despatched to the imperial court for the purpose of discussing peace and Council.<sup>2</sup> Only before the Castilian Estates, and in the words of the Spaniard Antonio Guevara, did the Emperor openly declare that the purpose of his journey to Rome was to urge the convocation of a Council, the reform of the Church and the extirpation of heresy.<sup>3</sup> However, in spite of the reticence of the imperial diplomatists, the Pope was aware of the Emperor's plans and the knowledge was enough to decide him to adopt a policy of extreme reserve. He only agreed to the conclusion of a separate peace after the imperial envoy, Miguel Mai, and Ferdinand's envoy, Andrea da Burgo, had given formal assurances in respect of these intentions. The episode is so characteristic of Clement's attitude to a Council that it may not be passed over.

At the audience of 24 April 1529, Burgo assured the Pope that his fear of a Council was groundless. The aim of the two Habsburg brothers was peace and tranquillity in the world and in Italy. They did not want the fresh complications which it was easy to foresee a Council would lead to. Luther's business could be settled without a Council on condition that it was submitted to a committee of specialists, one half of whom would be named by the Emperor and the German Estates while the Pope would appoint the other half. All this was nothing but a camouflaged version of Erasmus's proposal of an arbitration court of scholars, but it sufficed to provoke a complete reversal of feelings in the Pope. As if a load had been taken off his shoulders he jumped out of his chair exclaiming: "Yes, you speak a true word! in that case one might even grant the Lutherans more than one concession."<sup>4</sup>

The project for a Council was accordingly adjourned. The papal nuncio's promise of such an assembly made on 13 April at the Diet of Speyer had become obsolete before the ink on the document was dry, and though Jacopo Salviati, in a communication of 30 May, continued

<sup>1</sup> Weiss, *Papiers*, VOL. I, pp. 247 ff. (instructions for Balançon, September 1528); letter to Clement VII, Lanz, *Correspondenz*, VOL. I, pp. 296 ff.; Rassow, *Kaiseridee*, p. 17, places it in the autumn of 1528, however it dates from the spring of 1529.

<sup>2</sup> Lanz, *Correspondenz*, VOL. I, pp. 257; for his oral instructions we only have Gattinara's remark to Dantiscus, *Acta Tomiciana*, VOL. X, p. 398.

<sup>3</sup> On the attribution of authorship to Gattinara see Brandi, *Berichte*, IX, pp. 229 ff. Rassow, *Kaiseridee*, pp. 16 ff. regards the discourse as the Emperor's own work.

<sup>4</sup> Mai's report of 11 May 1529 in H. Baumgarten, *Geschichte Karls V*, VOL. II (Stuttgart 1888), pp. 715 ff.; the chief passage also in Brandi, *Quellen*, p. 198. As for Eshes's comment in *C.T.*, VOL. IV, p. xxvii, I will only say that I do not regard Burgo's soothing message as the only reason for the Pope's willingness to conclude peace.

to uphold the fiction, his only aim was to avoid offending the Estates of the Empire.<sup>1</sup> On 26 April Giberti, who had hastened to Rome in order to prevent the Pope from signing a separate peace, returned to his episcopal city of Verona.<sup>2</sup> The game was definitely up. The peace of Barcelona was signed: there was not a word in it about a Council.

However, the Emperor had not dropped his plan for such a gathering. He was resolved to proceed to Italy. Gattinara, who had suggested the expedition, felt confident that the Emperor would succeed in wresting the proclamation of a Council from the Pope. On 12 August 1529 Charles landed at Genoa; on 5 November he and the Pope met at Bologna.<sup>3</sup> For a period of over four months the two heads of Christendom lived under the same roof in the Palazzo Publico. There can be no doubt that Charles exerted himself to the utmost for an early convocation of a Council. Contrary to an account of the negotiations drawn up after the Emperor's death, in which Melanchthon asserts that the negotiations were conducted in presence of a large gathering of clergy and laity,<sup>4</sup> they were entirely private, hence our information about their progress and result is extremely scanty. Charles V personally recorded the general impression in a letter of 11 January 1530 addressed to his brother.<sup>5</sup> It was to the effect that the Pope

<sup>1</sup> *Lettere di principi*, VOL. I, fol. 121<sup>v</sup>, where we read that after the conclusion of peace everybody would see what were the Pope's intentions with regard to a Council: no one could desire it more than he did.

<sup>2</sup> Dittrich, *Regesten*, p. 52 f. How reluctantly the Pope came to terms with the Emperor may be gathered from Contarini's despatches of 7 June and 31 July 1529, *ibid.*, pp. 54 f., 60.

<sup>3</sup> Pastor, VOL. IV, II, pp. 377-89 (Eng. edn., VOL. X, pp. 68 ff.). This should be supplemented by the wholly unpolitical report of the Fleming de Lannoy published by Gh. de Boom, "Voyage et couronnement de Charles V à Bologne", in *Bulletin de la Comm. Royale de Belgique d'hist.*, CI (1936), pp. 55-106.

<sup>4</sup> *Corp. Ref.*, VOL. XII, pp. 307-17; the German text, which is probably earlier, is in *Corp. Ref.*, VOL. IX, pp. 710-17. Ehses, *C.T.*, VOL. IV, pp. xxix ff., has shown that it is inadmissible. According to A. Hasenclever, "Kritische Bemerkungen zu Melanchthons *Oratio de congressu bononiensi*, etc.", in *Z.K.G.*, XXIX (1908), pp. 154-73, the writing was occasioned not only by the Emperor's death but even more by the political climate of 1559. By recalling the meekness of the deceased monarch Melanchthon sought to warn his successor against the use of stern measures.

<sup>5</sup> Lanz, *Correspondenz*, VOL. I, p. 371. On 10 January Dantiscus writes from Bologna: "Caesar etiam instat multis rationibus ut concilium fiat, sed adhuc surdis haec fabula canitur", *Acta Tomiciana*, VOL. XII, p. 15. Melanchthon's note (*Corp. Ref.*, VOL. II, p. 219) that as regards the Council Gattinara had "den Kaiser vermahnet er soll nicht davon lassen" is as devoid of foundation, as is Sarpi's assertion to the contrary, *Istoria*, VOL. I, p. 3 (ed. Gambarin, VOL. I, p. 82). Bornate ("Hist. vite", in *Miscellanea di storia italiana*, XLVII, p. 396) had already described the latter assertion as incredible. On the other hand it must be remembered that shortly afterwards Gattinara thought of obtaining from Erasmus suggestions for an agreement without a Council.

would always view a Council as a tiresome affair, though he would no doubt agree to its convocation once peace was assured; however, both the convocation and the actual assembly demanded time. The Emperor evidently regarded the Pope's reluctance as insurmountable; he nevertheless continued to hope for at least a qualified acceptance, and such an acceptance he actually secured. From a letter of the Emperor to the Pope dated 14 July, of which more will be said further on, and from the Pope's reply of 31 July 1530,<sup>1</sup> we learn that Clement promised to convoke a Council if the Emperor judged that the situation in Germany made it necessary, but only on condition that peace was restored and the danger of politically inspired schisms removed. In a word the Pope gave his assent but reserved the final decision to himself. He also did his best to influence the Emperor's judgment in his own sense. To this end Cardinal Campeggio was ordered to accompany the Emperor to Germany in the capacity of papal legate. From the Emperor's memoirs it appears that he treated the Pope's reply as a straightforward affirmation,<sup>2</sup> which it was not. Its conditional nature did not escape Guicciardini.<sup>3</sup>

Events soon proved that he was right. Crowned as Roman Emperor on 24 February—his lucky day, for it was the anniversary of the victory of Pavia and his birthday—Charles V journeyed north to attend the Diet convened at Augsburg. Everything had gone as he wished: Soliman's attack on Vienna had collapsed; Italy was pacified; Sforza was reinstated as Duke of Milan; imperial troops had subdued Florence for the benefit of the Medici after the city had put up a heroic defence of its liberty—only a Council eluded his efforts. That problem would be solved at Augsburg.

<sup>1</sup> Heine, *Briefe*, p. 524. Italian translation in *Archivio storico ital.*, VIII (1891), p. 132. The Pope's reply is in *Lettere di principi*, VOL. III, fols. 109<sup>v</sup>-111<sup>r</sup>.

<sup>2</sup> Morel-Fatio, *Historiographie de Charles-Quint*, p. 202 f.

<sup>3</sup> *Storia d'Italia*, XX, 1 (ed. Panigada, VOL. V, p. 293).



FREDERICK THE WISE, ELECTOR OF SAXONY  
*After a drawing by Dürer in the Ecole Nationale des Beaux Arts,  
Paris*

## Augsburg and the Emperor's Proposal for a Council (1530)

DURING the six years that had elapsed since the Diet of Nuremberg the religious question in Germany had undergone a significant change. With the collapse of the social revolution Lutheranism ceased to be a popular movement as at the time of the Diet of Worms. The territorial authorities, princes and towns now controlled it and by means of church visitations and various regulations had reduced the hastily introduced innovations to a system. Electoral Saxony, Hesse and the great cities of the Empire set the pace. What they called "reformation" was not merely the appointment of Lutheran preachers and the ordering of divine service in the spirit of Luther, it also meant a more or less violent suppression of what remained of Catholic forms of worship and of the monastic houses, the application of Church property thus acquired to educational purposes, provision for the poor and other needs. The innovators appealed to their "Christian conscience" but could not prevent their opponents from observing that this kind of reform seemed exceedingly profitable to themselves while it greatly strengthened their internal and external position. As a matter of fact they were fully aware of this themselves. Pope and Emperor were no longer faced by a popular movement, powerful and impassioned but devoid of organisation. What they had to deal with now was a group of compact ecclesiastical-political bodies led by men with a clearly defined purpose, held together at first by the idea of the gospel as understood by Luther but before long, under pressure of events, by a common faith and an increasingly powerful political confederation.

As yet the Empire was not finally split into two great religious parties. The definitely Lutheran Estates still constituted only a small group, comprising the Elector John Frederick of Saxony who had succeeded Frederick the Wise, the young, energetic Landgrave Philip of Hesse, the Franconian Hohenzollern princes Casimir and George of Brandenburg, a few smaller territorial lords of Northern Germany and among the great imperial cities Augsburg, Nuremberg, Ulm, Frankfurt and Strasbourg. On the side of strict orthodoxy there were the Elector

Joachim I of Brandenburg, Duke George of Saxony, the Bavarian dukes and the majority of the ecclesiastical princes. But the number of the undecided was considerable. It included the Wittelsbachs of the Palatinate. Although the schism had actually been in progress for a long time, as a result of the establishment of Lutheran ecclesiastical communities, the adherents of the new faith were emphatic in disclaiming any schismatic intention. They maintained that now as before they stood on the ground of the medieval commonwealth of nations, the *Respublica christiana*, and that like the orthodox they regarded a General Council as its representative. However, a General Council as understood by them was the "free, Christian Council in German lands" which was undoubtedly irreconcilable with the Church's constitution. Though Luther himself had long ceased to expect anything from a Council his adherents persisted in their demand for such an assembly for they knew only too well what heavy obstacles lay in its way and how remote its convocation was—time was on their side. In this way there arose the remarkable situation that in Germany Lutherans, Catholics eager for reform, and the mass of the undecided—all favoured a Council. For the Lutherans the demand for a Council provided cover under which they pursued their work without hindrance. For the Catholics it was an objective for which they strove desperately for it was bound to bring the longed-for renewal of the Church which would cut off the ground on which Lutheranism grew. For the undecided it was the unerring scales in which the new belief and the new piety would be weighed. Thus it came about that even during the great war between France and the Empire the idea of the Council never vanished from the political order of the day.

One year after the Recess of Nuremberg, in August 1525, the Count Palatine Frederick and the Margrave Casimir of Brandenburg, having previously sounded the Elector of Saxony, jointly proposed to the Emperor the convocation of a General Council, or at least a national one "so that they might decide on a common interpretation and understanding of God's word".<sup>1</sup> Duke George of Saxony on his part instructed his counsellor, Pack, to press the Diet which had been convened at Augsburg, to request the Pope and the Emperor to consent to the summoning of a Council for the reform of both Estates, the ecclesiastical and the secular.<sup>2</sup> The above-mentioned Diet of Augsburg never materialised because the princes stayed away while the powers

<sup>1</sup> Janssen, *Geschichte des deutschen Volkes*, VOL. III, p. 29 (Eng. edn., VOL. V, p. 38).

<sup>2</sup> Gess, *Akten und Briefe*, VOL. II, pp. 461-71 (26 December 1525).

of the envoys who did attend were inadequate. The Recess of 9 January 1526 saw no better way out of the impasse than to request the Emperor once more to promote the affair of the Council because, so it said, "unless they achieved unity and harmony in a common Christian faith peace could not be restored in the Empire".<sup>1</sup>

How dangerous it was thus to play with the question of the Council became apparent at the Diet of Speyer in 1526.<sup>2</sup> The imperial "Proposition" of 26 June forbade any alteration in the existing legal status in respect of religious affairs and left it to the Estates to take the necessary measures for safeguarding traditional customs and ceremonies of the Church as well as for preventing the introduction of novelties, until a Council should meet.<sup>3</sup> That these half-measures were but little calculated to arrest further developments appears from the Estates' reply. True, the majority agreed that Christian belief and the Christian order should remain unchanged until a Council met,<sup>4</sup> but they disagreed on the question as to what these things actually stood for. Whereas the spiritual Estates were of opinion that even the suppression of ecclesiastical abuses should be reserved to a Council, the representatives of the towns, who were imbued with Lutheran sentiments,<sup>5</sup> claimed that certain institutions which were at variance with the Christian faith and the word of God could not on conscientious grounds be tolerated till a Council met. At the same time they submitted a memorial enumerating their proposals for reform; they were of such a nature as to leave no room for uncertainty about their aims. They were—freedom to preach Lutheran doctrine, abolition of the Mass, confiscation of monastic property, the marriage of priests. In their "Answer" to the Emperor's "Proposition" they stated that since there could be no question of a Council on account of the war, a German national Council should carry out the necessary reforms and formally suspend the execution of the Edict of Worms.

These proposals meant neither more nor less than complete freedom

<sup>1</sup> Lünig, *Reichsarchiv* (Leipzig 1710-22), VOL. II, pp. 457 ff.: Janssen, *Geschichte*, VOL. III, p. 32 (Eng. edn., VOL. V, p. 43).

<sup>2</sup> *R.T.A.* are not yet published, hence W. Friedensburg's *Der Reichstag zu Speyer 1526 im Zusammenhang der politischen und kirchlichen Entwicklung im Reformationszeitalter* (Berlin 1887) remains authoritative. Further literature on the subject in Schottenloher, Nos. 27960b-74.

<sup>3</sup> Friedensburg, *Der Reichstag zu Speyer*, pp. 523-34.

<sup>4</sup> Friedensburg, *Der Reichstag zu Speyer*, pp. 634-8; Pack's report, Gess, *Akten und Briefe*, VOL. II (Leipzig), pp. 565-9.

<sup>5</sup> The memorial of the towns, 30 June, in J. E. Kapp, *Kleine Nachlese einiger . . . Urkunden*, VOL. II (Leipzig 1727); also Duke George's observations in Gess, *Akten und Briefe*, VOL. II, pp. 599 ff.



for the new teaching, in defiance of the laws of Church and State. The Catholic majority sought to check the progress of the new religion by suggestions of their own which, while they went some way to meet their opponents, were not altogether irreconcilable with the Catholic standpoint. Two committees appointed by the Diet, a small one of eight members and a large one of twenty-one members, suggested<sup>1</sup> that the wishes of the secular Estates could be met by means of annual visitations and a reduction of feasts and fasts, indulgences and annates. As eventual concessions to their opponents they mentioned the marriage of priests and Communion in both kinds. It was all in vain. The Lutheran Estates rejected every compromise which guaranteed the continuation of the existing Catholic situation. On the other hand an imperial message forbade all discussion of the religious question and of reform at the Diet, or any change in the existing situation until a Council met. The divergences could not be bridged.

However, the Emperor's lieutenant, Archduke Ferdinand, sorely needed the help of the Estates against the Turks. In the hope of securing it he hit upon a flexible formula which did not bridge the differences but merely disguised them. The Diet's Recess of 27 August 1526<sup>2</sup> demanded the convocation within a year and a half either of a General or a National Council, forbade all further innovations and guaranteed all lawfully acquired rights and revenues. On their part the Estates declared that their attitude to the Edict of Worms would be such as they felt able to answer for before God and before the Emperor's majesty. Thus the attitude of each of the Estates of the Empire during the interval before the Council was left to the individual conscience as informed by the law of God and that of the Empire. The decision did not create a new law justifying the establishment of Lutheran territorial churches, but it proved the starting-point of a development which ended in the formation of a territorial ecclesiastical system and the management of ecclesiastical affairs by the imperial cities mentioned at the beginning of this chapter.

When, at the end of three eventful years, a new Diet opened at Speyer on 15 March 1529 strong resentment prevailed among the

<sup>1</sup> The memorial of the princes' committee of eight, 23 July, with the memorials on the *gravamina*, edited by J. Ney in *Z.K.G.*, IX (1888), pp. 140-81; XII (1891), pp. 338-60; the advice of the great committee, 18 August, in Ranke, *Deutsche Geschichte*, VOL. VI, pp. 41-61 (Eng. edn., VOL. III, BK VI, Ch. i).

<sup>2</sup> Lünig, *Reichsarchiv*, VOL. II, pp. 460 ff.; Janssen, VOL. III, pp. 54 ff. (Eng. edn., VOL. V, p. 74 ff.). Friedensburg defends his interpretation against Brieger in *A.R.G.*, VIII (1910), pp. 93 ff.

Catholic Estates on account of the conduct of the Lutherans.<sup>1</sup> The Emperor's victories and his impending return to Germany breathed fresh courage into them, but the attitude of the adherents of the new faith also stiffened. The main object of the Diet was to obtain subsidies for the Turkish war—Soliman stood at the gates of Vienna. As for the religious problem, there was only question of *interim* ordinances, pending the convocation of a Council. The imperial "Proposition" held out a prospect of its assembly at an early date and in the meantime forbade every form of coercion as well as the introduction of new sects. Although the Estates' memorial of 15 April<sup>2</sup> limited this prohibition to the introduction of the new, that is the Zwinglian, teaching on the Eucharist, Anabaptism and the suppression of the Mass, while it expressly tolerated other innovations until the Council should materialise, it met with opposition from the towns that had embraced the new faith. The delegate of Strasbourg, Jacob Sturm, declared<sup>3</sup> that the innovations introduced by them were dictated by their conscience and that their cancellation would provoke a riot; however, they were prepared to submit to a Council. Sturm was sure he could rely on the Lutheran princes and he felt confident of the support of the Swiss. Neither he nor his sympathisers were impressed when the papal nuncio, Giovanni Tommaso Pico della Mirandola, in a speech delivered on 13 April<sup>4</sup> held out a prospect of the convocation of a Council as soon as the restoration of peace would make such a step practicable. The further promise that the Pope would promote the plan by means of a personal visit to Charles V and Francis I also left them cold. Unwillingness to give credence to such a promise was general, all the more so as it was conditional, whereas all the time the Emperor was doing his utmost to create an impression that a final decision had already been arrived at. The Lutheran estates maintained their standpoint and flatly rejected even the modified Recess of the Diet which demanded from them no more than toleration of Catholics and Catholic worship. On 19 and 20 April the Elector of Saxony, the Dukes of Hesse and

<sup>1</sup> *R.T.A.*, VOL. VII, pp. 478-880, and the account by the editor, J. Kühn, *Die Geschichte des Speyrer Reichstags 1529* (Leipzig 1929); for the Strasbourg reports see *Politische Korrespondenz*, VOL. I, pp. 319-59, and for the earlier literature Schottenloher, Nos. 27975-8010.

<sup>2</sup> *R.T.A.*, VOL. VII, pp. 1133 ff.; corresponding reports pp. 550 ff.

<sup>3</sup> *R.T.A.*, VOL. VII, pp. 649, 703; *Politische Korrespondenz*, VOL. I, p. 324. The memorials of the theologians and jurists of Nuremberg, which had been drawn up in the month of March, in *R.T.A.*, VOL. VII, pp. 1187-93. The jurists advocated another appeal to a future, free, Christian Council.

<sup>4</sup> *R.T.A.*, VOL. VII, pp. 725, 734 f.; text of the discourse pp. 1244 ff.

Brandenburg-Kulmbach and three other princes, together with Jacob Sturm as representing the towns, lodged the protest which thereafter gave its name to their group.<sup>1</sup>

The majority Recess<sup>2</sup> prayed the Emperor to propose to the Pope a "frei general concilium in teutscher nacion" (a free General Council within the German nation)—to be proclaimed within a year and to be convened within two years. Metz, Cologne, Mainz and Strasbourg were proposed as possible meeting-places. If no General Council was held, a general assembly of the Estates of the Empire and other interested bodies should be convened, in other words, some sort of national Council should be held. It is evident that the idea of a national assembly to deal with the religious problem continued side by side with the now stereotyped demand for a Council even though more and more people began to despair of the demand ever being complied with.

The arrival of the Emperor in Germany opened the flood-gates of controversy at one stroke. Charles V still refused to despair of the Protestants' return to the Church, for the simple reason that he did not fully realise the extent of the dogmatic cleavage. Such a state of mind, after the Diet of Worms, is surprising. To appreciate it we must remember that in Charles's view of the situation the Protestant Estates, not the person of Luther, were his opponents. Friends of Erasmus had led him to think that even now their belief could be reconciled with the fundamental dogmas of the Church as formulated in the Apostles' Creed and that the prevailing divergences were solely concerned with theological opinions and ecclesiastical traditions. A broad-minded approach to them on the part of the Church and greater respect for authority on the part of the Protestants might yet pave the way to reunion, especially if he himself were to intervene with all the weight of the imperial dignity and power.

This conception shows through the paragraph of the promulgation of the Diet in which the Protestants were summoned to justify their conduct in writing.<sup>3</sup> Their defence would form the basis of the

<sup>1</sup> Both formulas of the protest in *R.T.A.*, VOL. VII, pp. 1260 ff., 1273 ff.; J. Boehmer, "'Protestari' und 'protestatio' protestierende Obrigkeiten und protestantische Christen", in *A.R.G.*, XXXI (1934), pp. 1-22.

<sup>2</sup> *R.T.A.*, VOL. VII, p. 1299, with p. 1142; the main lines had already been laid down at the sitting of 19 March, *ibid.*, p. 573.

<sup>3</sup> German text in Lünig, *Reichsarchiv*, VOL. II, pp. 496 ff. (20 January 1530); extract in Le Plat, VOL. II, p. 321. I discuss the Diet of Augsburg more fully because up to the Diet of Ratisbon 1541 this was the only serious attempt to render a Council superfluous by means of a direct understanding with the Protestants. *R.T.A.* are unfortunately not yet available. C. E. Förstemann, *Urkundenbuch zur Geschichte des*

forthcoming discussion. Powerful influences in the Emperor's entourage pressed for a compromise at any price. From the Emperor's secretary, Cornelius Schepper,<sup>1</sup> we learn that Gattinara was thinking of inviting Erasmus to Augsburg, where his opposite number would have been Melanchthon, who was there in the capacity of theological adviser to the Elector of Saxony. Erasmus and Melanchthon at Augsburg—what a prospect for reunion! and what a confusion of ideas!

Gattinara's death at Innsbruck on 4 May 1530 prevented the execution of the plan, but there were left a number of people who favoured a reconciliation on Erasmian terms, as for instance, the two secretaries Valdés and Schepper, Charles's sister, Mary of Hungary, who kept a preacher of Protestant leanings, Bishop Christoph von Stadion and, to some extent, even Cardinal Cles of Trent.<sup>2</sup> As a matter of fact, at one critical moment, when faced by the League of Cognac, even Charles seems to have thought of winning allies for the impending struggle by means of an amnesty for the transgressors of the Edict of Worms and concessions in the ecclesiastical sphere.

A Council remained a very definite item in the Emperor's plans.<sup>3</sup>

*Reichstags zu Augsburg 1530*, 2 Vols., Halle 1833-5, is supplemented, for the first days of July, by Th. Brieger, "Beiträge", in *Z.K.G.*, XII (1891), pp. 126-36. Melanchthon's correspondence with Luther and the reports of the envoys of Nuremberg in *Corp. Ref.*, VOL. II, pp. 34 ff.; cf. also Aurifaber's collections of the acts in *Briefe und Akten zur Geschichte des Religionsgesprächs zu Marburg 1529 und des Reichstags zu Augsburg 1530*, ed. F. W. Schirrmacher, Gütersloh 1876, and those of Veit Dietrich in *Acta comitiorum Augustae ex litteris Philippi, Jonae et aliorum ad M[artinum] L[utherum]*, ed. G. Berbig, Halle 1907. Authoritative for the question of the Council are Campeggio's reports published, in part, by Laemmer, *Mon. Vat.*, pp. 64 ff., completed and revised by St. Ehses, "Kardinal L. Campeggio auf dem Reichstag von Augsburg 1530", in *R.Q.*, XVII (1903), pp. 383-406; XVIII (1904), pp. 358-84; XIX (1905) *Gesch.*, pp. 129-52; XX (1906) *Gesch.*, pp. 54-80; also three letters of Campeggio to Henry VIII, Jedin, *Quellenapparat*, pp. 99-104; likewise the despatches of the Venetian envoy Niccolò Tiepolo, who was in close touch with Campeggio, cf. J. von Walter, "Die Depeschen des venezianischen Gesandten N. Tiepolo über die Religionsfrage auf dem Augsburger Reichstag 1530", in *Abhandlungen der Göttinger Gesellschaft der Wissenschaften, phil.-hist. Klasse N.F.*, XXIII (1928), No. 1 (Berlin 1928). Information about events in Rome is furnished by the letters of Cardinal Loaysa mentioned above (Ch. x) and the despatches of the Roman envoy Mai, *Cal. of St. Pap., Spain*, VOL. IV, I, Nos. 381 ff. The following works in the special literature are important for the question of the Council: Schottenloher, Nos. 28011-67; E. W. Mayer, "Forschungen zur Politik Karls V während des Augsburger Reichstages von 1530", in *A.R.G.*, XIII (1916), pp. 40-73, 124-46; Rassow, *Kaiseridee*, pp. 26-87.

<sup>1</sup> Erasmus, *Epist.*, VOL. VIII, pp. 462 ff.; Rassow, *Kaiseridee*, pp. 35 ff.; Melanchthon's letter to Baumgartner, 21 May, *Corp. Ref.*, VOL. II, p. 58.

<sup>2</sup> Erasmus's correspondence with the above-named (except Mary of Hungary), and with Melanchthon, Pistorius, Campeggio and Bonfio in Erasmus, *Epist.*, VOL. VIII, pp. 446 ff.; VOL. IX, pp. 1 ff.

<sup>3</sup> Brandi, *Berichte*, IX, pp. 247 ff.; Bauer, *Korrespondenz Ferdinands I*, VOL. I (1912), pp. 407 ff. Marco Foscari also heard of it, Albèri, *Relazioni*, VOL. II, III, p. 133.

Before all else he saw in it a means of reforming the Church. If he brought about such a reform he would be discharging a debt of gratitude he owed Almighty God for the victorious conclusion of the war. The promise of a Council, he imagined, would facilitate the return of the dissidents. On the other hand, should they refuse to submit to its decisions, he would have moral support for the use of force. As a matter of fact he was even then considering the latter remedy. It is as inaccurate to visualise the Emperor merely as a benign arbitrator as it is to picture him as a raging, warlike tyrant speeding to Germany in order to make the rebels feel the weight of his authority.

The course of events could not but be considerably influenced by the bearing of the cardinal-legate. Campeggio was resolved not to swerve from the basic line to which the Curia had strictly adhered until this time. This meant, for one thing, that he would uphold the Bull *Exsurge* and the Edict of Worms. Although he regarded the attempt to win over the Protestant princes by means of concessions and to intimidate the towns by threats as not altogether hopeless, he was convinced that should these tactics fail there only remained the use of force. This programme he submitted to the Emperor while they were still on the way.<sup>1</sup> It was undoubtedly consistent, but it suffered from two weaknesses; on the one hand it failed to take into account the Protestants' unwillingness to yield on the question of belief, and on the other it left unsolved the problem of conducting simultaneously a war of religion and a campaign against the Turks. It also by-passed the solution by means of a Council; in fact, during the journey from Innsbruck to Augsburg, the legate did his best to persuade Duke George of Saxony and the Dukes of Bavaria not to insist upon such a solution.

Once again it was the Protestants who carried the idea of a Council into the discussion and it was an ominous sign that those responsible were precisely the most radical of their number, namely Philip of Hesse and the representatives of Strasbourg. The latter were in sympathy with the Swiss. Philip successfully urged that the preamble to the profession of faith, which they presented to the Emperor on 25 June, should contain a reminder of the Estates' previous demand for a Council as well as of the Emperor's promises to that effect at the last two Diets of Speyer. The Protestants promised in advance to submit

<sup>1</sup> The text of this undated Italian memorial is given by W. Maurenbrecher, *Karl V und die deutschen Protestanten* (Düsseldorf 1865), appendix 3-14. On 19 June Melancthon wrote to Luther, "Campegius tantum est auctor ut vi opprimamur. Neque quidquam in aula mitior est Caesare". *Acta comitiorum*, p. 6.

while at the same time they appealed to it.<sup>1</sup> Campeggio hit the nail on the head when he roundly declared that their offer was insincere,<sup>2</sup> that its authors did not believe that a Council would materialise and that their only desire was to gain time. The legate accordingly did all in his power to dissuade the Emperor from seeking a solution by means of a Council. In a memorandum of 4 July<sup>3</sup> he pointed out that if the Protestants refused to bow to the Emperor's decision there remained no other remedy except to proceed against them with severity—that is, the use of force. It would be both useless and dangerous to throw out hints of a Council—useless, because they would not submit to it; dangerous, because they would take advantage of the interval to disseminate their errors still further.

Objections of this kind had been foreseen by the Emperor. Hence, if he promised a Council he would attach a condition to his offer. This was that until its assembly the Protestants should comply with the Edict of Worms and take up once more Catholic practice. This condition was meant to humour the Pope and to remove his objections to a Council but it had one weakness—there was not the slightest prospect of the Protestants accepting it, were it only that they would suspect—not altogether without reason—that it was no more than a feint for the purpose of deceiving them. Once they should have returned to the practice of Catholicism there would be no hurry to assemble the Council. Hence, notwithstanding this condition, Campeggio would not agree to the promise of a Council. The only step he was prepared to take was to renew the offer made at Nuremberg, namely that the nation's wishes for reform would be laid before the Roman authorities by a special deputation. However, the Emperor stuck to his point of view. The "Programme" which he laid before the Catholic Estates on

<sup>1</sup> *Die Bekenntnisschriften der evangelisch-lutherischen Kirche*, published by the "Deutscher Evangelischer Kirchenausschuss" (Göttingen 1930), p. 47 f. The copious literature on the "Confessio Augustana" in Schottenloher, Nos. 34504-635, of which the following works are of special importance: E. von Schubert, *Bekenntnisbilder und Religionspolitik* (Gotha 1910), and W. Gussmann, *Quellen und Forschungen zur Geschichte des Augsburger Glaubensbekenntnisses*, VOL. I (Leipzig 1911), VOL. II (Kassel 1930); a survey of the literature of the Luther jubilee by H. Bornkamm in *Z.K.G.*, L (1931), pp. 207-18. On Landgrave Philip's "complete victory with regard to the question of the Council", see W. E. Nagel, *Festgabe Johannes Ficker* (Leipzig 1931), pp. 107-23.

<sup>2</sup> Memorials drawn up in the last days of June in Lanz, *Staatspapiere*, p. 48; also Gussmann, *Quellen und Forsch.*, VOL. I, i, p. 56; *Corp. Ref.*, VOL. II, pp. 98, 101.

<sup>3</sup> *C.T.*, VOL. IV, p. xxxvii f.; *R.Q.*, XVIII (1904), p. 359: "A bocca ragionando seco molto detestai la cosa del concilio con le ragioni efficacissime altre volte dette."

5 July<sup>1</sup> contained this alternative: either the Protestants submit to the imperial decision in respect of their profession of faith, or to a future Council; if they refuse there only remain "sharpness and severity".

The Estates' desire for a mutual understanding was keener, their dread of the horrors of a war of religion deeper, than the Emperor's. They declared their readiness to do all they could in the hope of persuading the "confessionists" to yield. If no agreement was reached—but not until then—the promise of a Council would be in order. They promised to draw up a list of ecclesiastical *gravamina* to serve as a basis for the negotiations with the Curia, as Campeggio had suggested.

The Emperor acted on these lines during the weeks that followed. First of all he had a refutation of the *Confessio Augustana* drawn up. Its tone was mild and the matter clearly stated, but when it came to be submitted to the Protestants, they rejected it. Thereupon the Emperor sought to reach an understanding by means of direct negotiations. Only when these failed did he take up once more the idea of a solution by means of a Council. In order to be prepared for any eventuality he took steps betimes in Rome so as to prepare the authorities for the offer he intended to make. In a letter of 14 July he drew this picture of the situation for the benefit of the Pope: "The Protestants are more unyielding and more obstinate than ever—while the Catholics are generally lukewarm and but little inclined to lend a hand in the forcible conversion of those who have fallen away." It was his opinion as well as that of the Estates that the offer of a Council could not be avoided, not only in order that errors might be finally exposed and their further dissemination arrested, but also for the purpose of regulating the ecclesiastical situation, encouraging the Catholics and preventing the rise of further heresies. The Protestants' intention was to let the time that would necessarily elapse before the Council work in their favour. But this aim would be thwarted by the condition attached to the promise of a Council, namely that they return to the practice of the Catholic religion. Should the Council fail to materialise there was reason to fear that all the evils that must surely ensue would be laid to the Pope's and the Emperor's charge. The abscess must be lanced, lest the poison infect the whole body. "That which we spoke of at Bologna has come true; the welfare of Christendom peremptorily

<sup>1</sup> The "Bedencken" of 5 July and the reply of the Estates of 7(13) July published by Th. Brieger in *Z.K.G.*, xii (1891), pp. 128 ff.

requires a Council. Up till now the war has stood in the way, but that is now at an end. Should peace be disturbed from any quarter, the blame would lie wholly with the author of the disturbance." The letter ended with a request that the Pope would indicate the date and place of the Council so that the Emperor might be in a position to make concrete proposals to the Estates. Charles concluded with a declaration that he submitted in advance to the decision of the Vicar of Christ.<sup>1</sup>

Even before the arrival of the Emperor's letter Rome had learnt the nature of its contents from a report of Campeggio and the imperial ambassador Mai.<sup>2</sup> On 18 July it was submitted to the committee of cardinals for German affairs and shortly afterwards to the consistory. The Pope and the majority of the cardinals were agreed that the Emperor's request for a Council could not be openly declined. The monarch's proposal of a Council was not by any means the same thing as a Council. In any case the well-known condition, that is the Protestants' previous resumption of the practice of the Catholic religion, robbed it of its sting. For, as Campeggio wrote,<sup>3</sup> in this affair of the Council they might imitate Solon of old, who made the Athenians promise to keep the laws he had given them until his return. Having got the promise, Solon departed, never to return. Moreover, Granvella had given an assurance in Charles's name that he would defend the person and the privileges of the Pope like his own at the Council. There was therefore no doubt about the Emperor's good-will. Clement VII accordingly decided to accede to the monarch's wish. On 31 July he pledged himself to convoke a Council as soon as the Protestants should declare their intention to fulfil the well-known condition. As a meeting-place he proposed, in the first instance, Rome; then Bologna, Mantua or Piacenza.<sup>4</sup>

It was a promise, and again it was not a promise. Every line of the document betrays the reluctance with which the Pope gave his assent, an assent qualified by a number of stipulations. So great in fact was his reluctance that just then he would have been more willing to put up with a national Council than with a general one. He was even prepared for far-reaching concessions if by this means he could escape

<sup>1</sup> Heine, *Briefe*, pp. 522 ff. Italian text in *Archivio storico ital.*, VOL. VIII (1891), pp. 129-34.

<sup>2</sup> *Cal. of St. Pap., Spain*, VOL. IV, i, p. 644 f. (18 July 1530); Campeggio's report of 5 July in *R.Q.*, XVIII (1904), pp. 358 ff. For what follows cf. also Loaysa's letters of 18 and 31 July, Heine, *Briefe*, pp. 18 ff.; *Coll. doc. inéd.*, VOL. XIV, pp. 43 ff., 52 ff.

<sup>3</sup> *R.Q.*, XVIII (1904), p. 363.

<sup>4</sup> Last printed in *C.T.*, VOL. IV, pp. xli ff.



a Council.<sup>1</sup> At the Curia feeling in regard to such an assembly was more hostile than ever. The dangers which a Council was sure to conjure up in both the ecclesiastical and the political spheres were painted in lurid colours. Not only the Germans but other nations also would endeavour to wrest concessions from the assembly by threats of a schism in the event of a refusal, while the presence of Francis I and other princes would revive the differences between the great powers which had been composed so very recently. As for Henry VIII, he would make his participation depend on a favourable decision in his matrimonial affair. The French party in Rome, of which Cardinal Grammont was the heart and inspiration, did its best to exacerbate the general aversion for the Council, so much so indeed that even Charles's own ambassador, Mai, as well as Cardinal Loaysa, the nominee of the Spanish crown, did not remain unscathed. The latter, at any rate, who had been at one time Charles's confessor, was convinced in his heart of hearts that fire and sword were the only effective weapons against heresy. If these could not be brought into action, an understanding with the Protestants and a tacit toleration of their errors would always be preferable to a conciliar solution.

The Pope's letter of 31 July arrived at Augsburg on 9 August. By that time the first phase of the negotiations was at an end. The imperial *Confutatio* had been read to the Protestant Estates on 3 August. It was bluntly rejected by their divines; Melancthon described it as perfectly childish.<sup>2</sup> Neither the personal intervention of the Emperor nor the threats of Joachim, the Elector of Brandenburg, made the slightest impression on the Protestants. The Landgrave Philip of Hesse's flight on the evening of 6 August still further increased the confusion and mutual distrust. The Protestants persisted in taking cover behind their appeal to, and offer of, a Council.<sup>3</sup> They were not to be put off by the Elector Joachim's pointed query how their show of readiness for a Council was to be reconciled with Luther's rejection of it at Worms.<sup>4</sup>

<sup>1</sup> *Cal. of St. Pap., Spain*, vol. IV, i, p. 645; *Coll. doc. inéd.*, vol. XIV, pp. 52 ff. That the Emperor was well aware of the Pope's sentiments appears from Tiepolo's despatch of 12 August, cf. Walter, *Die Depeschen des venezianischen Gesandten N. Tiepolo*, p. 66 and an anonymous memorial in *A.R.G.*, XIII (1916), p. 63 f.

<sup>2</sup> "Valde pueriliter scriptum," *Acta comitiorum*, p. 35. The origin of the "Confutatio" is fully described in J. Ficker, *Die Konfutation des Augsburger Bekenntnisses* (Leipzig 1891); see also A. Paetzold, *Die Konfutation des Vierstädtebekenntnisses* (Leipzig 1900).

<sup>3</sup> Schirrmacher, *Briefe und Akten*, p. 118.

<sup>4</sup> Schirrmacher, *Briefe und Akten*, p. 200; cf. Förstemann, *Neues Urkundenbuch zur Geschichte der evangelischen Kirchenreformation*, vol. II, p. 205. On 30 July Melancthon wrote to Luther: "Quidam significant appellationem ad synodum non

They knew only too well that here was the weak spot in the Emperor's position. Nothing could throw a clearer light on the monarch's embarrassment than the recent papal letter. Both he and the Catholic Estates shrank from the use of force at this stage, while the Protestants greatly feared such a step. So negotiations were resumed in an attempt to reach an agreement on particular points. This was Melanchthon's hour.

For Luther's outstanding collaborator secession from the universal Church was as unthinkable as armed resistance to the Emperor, whose love of peace and religion he could not sufficiently extol.<sup>1</sup> With a view to creating a favourable impression in the monarch's mind Melanchthon had put in the foreground of the *Confessio Augustana* those things which the Protestants held in common with the Catholics, while throwing a veil over those that separated them or even leaving them out altogether, as, for instance, the doctrine of the papal primacy, Purgatory and indulgences. As early as June he made contact with Valdés and Schepper, both of them adherents of Erasmus, and on 5 July he paid his first visit to Campeggio. This visit was followed by two others, on 8 and 28 July, at which he also submitted some written explanations. Firmly convinced as he was that there was no "Span und Irrung" (mote and error)<sup>2</sup> in the teaching of the Protestants, he imagined he would be able to bring about their return to the Church provided they were granted certain concessions of a practical kind, such as Communion in both kinds, the marriage of priests, such alterations in the Canon of the Mass as harmonised with the Protestant teaching on the Lord's Supper, the abolition of private Masses and certain mitigations in the sphere of the *Jus humanum*.<sup>3</sup> He ended by declaring that he would be satisfied with only the first two of these concessions.

Campeggio interpreted Melanchthon's growing readiness to meet the Catholics as a sign of weakness. His remark on the possibility of

obfuturam nobis", *Acta comitiorum*, p. 34; cf. K. H. Hammer, "Kurfürst Joachim I von Brandenburg auf dem Reichstag zu Augsburg 1530", in *Wichmann-Jahrbuch*, I (1930), pp. 116-33.

<sup>1</sup> For what follows, see H. Virk, "Melanchthons politische Stellung auf dem Reichstag zu Augsburg 1530", in *Z.K.G.*, IX (1888), pp. 67-104, 293-340.

<sup>2</sup> Schirrmacher, *Briefe und Akten*, p. 97; *Corp. Ref.*, VOL. II, p. 170.

<sup>3</sup> For what follows, in addition to Melanchthon's letters (to those printed in *Corp. Ref.* must be added that of 3 June to Albrecht of Mainz in *A.R.G.*, XVII (1920), p. 67), see also the memorials in *Corp. Ref.*, VOL. II, pp. 246, 268 ff., 280 ff.; VOL. III, pp. 168 ff., and Campeggio's reports, Lämmer, *Mon. Vat.*, pp. 48, 52; *R.Q.*, XVII (1903) p. 401; XVIII (1904), p. 360.

concessions at the beginning of July sounded a good deal more encouraging than the reply which Campeggio's secretary Bonfio delivered in the name of the legate, who had been taken ill, to Melanchthon who was also laid low by sickness.<sup>1</sup> It is difficult to ascertain how far his action agreed with the Pope's views at this time. On the whole, Campeggio saw quite clearly that the trench which divided the Protestants from the Church was much deeper than Melanchthon was willing to admit, nor did it escape him that the one man who really mattered, viz. Luther, as well as the other authoritative political leaders could not be persuaded to come to terms at any price. For these reasons Campeggio was opposed to the negotiations for a compromise which opened in mid-August. They were organised by the Emperor though it is unlikely that he still believed that complete agreement on all points in dispute was attainable. The Protestants' rejection of the *Confutatio* had taught him that their obstinacy was greater and the existing divergences more fundamental than he had at first imagined. He was nevertheless in a position to claim that his policy of accommodation would be an immense gain if, as a result of a *rapprochement* to the Church on the part of the Protestants, even if it had to be bought at the price of concessions in the disciplinary sphere, the movement of secession were arrested and the Catholic position secured until a Council should speak the last word on all the questions in dispute. The repeated reference to a future Council in the course of these discussions is sufficient proof that on a number of points the negotiators themselves regarded their work as purely provisional.

Apart from the inherent difficulties of the discussions the prospects of an accommodation were further jeopardised by the very composition of the negotiating committee. It consisted of seven princes, jurists and theologians for each of the two parties to the controversy. Thus Melanchthon, who was prepared to come to an understanding, was faced by Johann Eck as the leading theologian of the opposite party. It was hardly to be expected that Bishop Stadion of Augsburg, a friend of Erasmus, and the Chancellor of Baden, Vehus, known for his previous attempts at mediation, would be able to hold their own against a man like Eck, especially after the replacement of Duke Henry of Brunswick by Duke George of Saxony. It was equally evident that John Frederick of Saxony, the Saxon Chancellor Brück, and Philip of Hesse's theologian

<sup>1</sup> Salviati on 10 August, *R.Q.*, XVIII (1904), p. 383; Mai's reports of 18 and 26 July already mentioned in part, *Cal. of St. Pap., Spain*, VOL. IV, i, pp. 644 f., 660 f

Schnepf, had been instructed to restrain their theological spokesman Melanchthon from making over-generous concessions. The committee of fourteen entered upon its task on 16 August. The negotiations turned not so much on the actual dogmas of the faith as on those manifestations of the religious life of the Church which embodied most clearly the differences between Catholics and Protestants,<sup>1</sup> such as Communion in both kinds, the marriage of priests, the sacrifice of the Mass, the fate of the monasteries and lastly, and this was the heart of the matter, recognition of episcopal jurisdiction. The Protestants' return to obedience at least for the limited period before a Council was regarded by the Catholics as the touchstone of their sincerity while the former feared that in that case the bishops would forcibly suppress all the innovations that had crept in up to then and restore the previous order of things. In the end they were very glad that this concession, to which Melanchthon had consented in principle on 21 August, was never put into effect, for as the negotiations progressed they became increasingly convinced that Melanchthon was going too far in his readiness to meet their opponents. The aggressive tendency of the Hessians was visibly gaining ground,<sup>2</sup> with the result that when, on 24 August, Melanchthon joined the discussions of a smaller committee composed of only three learned representatives of each party, he was instructed to refrain from further concessions.<sup>3</sup> In vain Eck besought his opponent on 27 August to moderate his demands and to leave all difficulties to the Council. On 29 August the Protestants broke off negotiations with a *non possumus* while maintaining their appeal to the Council.<sup>4</sup>

The Catholics on their part also asked themselves, and with good reason, whether they had not gone too far when they agreed to tolerate certain Protestant practices, such as the Lutheran Mass, to the injury

<sup>1</sup> Account of the course of the negotiations in "Acta septem deputationum", *R.Q.*, XIX (1905) *Gesch.*, pp. 138-43; Schirrmacher, *Briefe und Akten*, pp. 217 ff., 229 ff.

<sup>2</sup> Philip's letter to the councillors who had remained at Augsburg, *Corp. Ref.*, VOL. II, pp. 323 ff.

<sup>3</sup> Schirrmacher, *Briefe und Akten*, p. 242 f. Melanchthon nevertheless continued his efforts for a tolerable compromise for the Protestants, as is proved by his memorial on the Catholic proposals in the committee of six, 24 August, published by Schornbaum in *Z.K.G.*, XXVI (1905), pp. 144 ff.

<sup>4</sup> The "Non possumus" of the *Responsio exhibita cancellario Leodiensi* in the first days of September, *Corp. Ref.*, VOL. II, pp. 345 ff. The Protestants were well aware that behind the three articles on which they declared themselves unable to yield, viz. Communion in both kinds, the marriage of priests, the Canon of the Mass, there were other divergences of profound dogmatic significance, Schirrmacher, *Briefe und Akten*, p. 252; *Acta comitiorum*, p. 42 f.

of the very substance of Catholicism.<sup>1</sup> The Cardinal of Liège, who was still working for a compromise at the beginning of September, became hesitant and Campeggio deemed it advisable to warn the Emperor against concessions of too far-reaching a nature.<sup>2</sup> The warning was scarcely needed. When even his personal intervention on 7 September proved ineffective<sup>3</sup> Charles understood that they had come to the parting of the ways. The question was whether a policy of accommodation, together with the promise of a Council, would serve any good purpose, or whether a war of religion was the only remedy left. It had become necessary to face even that possibility. The Emperor had come to Germany without an army; if he was to wage a war of religion he must perforce rely on the help of the Catholic Estates and the Pope. When he broached the subject to the committee of princes, throwing out hints rather than unfolding a definite plan,<sup>4</sup> they refused to listen. They shrank from the sacrifices such a war would demand. In their embarrassment they suggested legal action against the Protestants, but as the Emperor would not desist they could think of no better way out of the impasse than fresh negotiations and a firm announcement of a Council, at the very latest at Christmas, as if the Emperor had not long ago done his utmost to get Rome to fix a date.

So yet another attempt at a compromise was made, though this time its scope was strictly limited. The proposals submitted to the Protestants on 12 September by William Truchsess, the father of the future Cardinal Otto of Augsburg, and by Dr Vehus<sup>5</sup> no longer aimed at a permanent reunion to be approved and completed by a Council; all that was aimed at was a temporary *modus vivendi* which would guarantee the tranquillity of the Empire; not an "ecclesiastical peace", but merely a "political" one. The articles on which agreement had been arrived at in August, as well as those which were still in dispute, were to be submitted to a Council. The Protestants were to pledge themselves not to introduce any further novelties in the meantime; not

<sup>1</sup> *Corp. Ref.*, VOL. II, pp. 341 ff.

<sup>2</sup> Walter, *Die Depeschen des venezianischen Gesandten N. Tiepolo*, p. 73.

<sup>3</sup> Schirrmacher, *Briefe und Akten*, pp. 257 ff.

<sup>4</sup> The "Proposition" of 8 September to the Estates, in the original French, in Rassow, *Kaiseridee*, pp. 401-5; the Latin translation, which differs on many points, in Raynald, *Annales*, a. 1530, Nos. 100-5; Le Plat, VOL. II, pp. 469 ff.; further correspondence in *R.Q.*, XX (1906) *Gesch.*, pp. 54-9.

<sup>5</sup> The eight articles, drawn up on 8 September, in *R.Q.*, XIX (1905) *Gesch.*, pp. 149 ff.; Le Plat, VOL. II, pp. 467 ff.; two different German formulas in Schirrmacher, *Briefe und Akten*, pp. 294-9. The idea of a temporary solution, one limited to externals, until the Council should meet, occurs already in the Protestants' reply to the chancellor of Liège; Schirrmacher, p. 251.

to give asylum to subjects of other princes; to retain the Mass and its Canon, while with regard to Communion in both kinds and the marriage of priests they would have to act in such a way as to be able to account for their conduct to the Emperor and the Council. The monasteries still in existence were to remain; the property of those already suppressed was to be administered by imperial trustees and the revenues derived from it devoted to the support of their banished inmates until the Council met.

These proposals went a long way to meet the Protestants. Of the original condition, their resumption of the practice of the Catholic religion, there practically remained not a trace except the restoration of the Canon of the Mass and the sequestration of the confiscated monastic property: the recognition of episcopal jurisdiction had been dropped. All the other innovations were tolerated, only the introduction of fresh ones was barred. But it was precisely to this attempt to halt them that the Protestants refused to submit. It prevented their progress and even jeopardised their very existence. "If we tolerate the monasteries that still remain," Justus Jonas wrote in a memorial of 13 September,<sup>1</sup> "above all, if we suffer the expelled religious to return, it will not take long before the private Mass and all other Catholic ceremonies are brought back." The fact is that it is of the very essence of a religious revolution that it cannot stop half way. Toleration is against its very nature: it must pull down and build anew if it wants to maintain itself. On 21 September the Protestant Estates accordingly rejected Truchsess's proposed *Provisorium*. In the collective memorial of their theologians<sup>2</sup> there is a remark to the effect that they did not regard the *Confessio Augustana* as a complete statement of Protestant doctrine. This then was the result of three months' negotiations for a compromise! The differences were more sharply accentuated than ever: Luther had triumphed over Melanchthon.<sup>3</sup>

In view of this issue the Protestants were bound to reject the Recess which the Emperor submitted to them on 22 September.<sup>4</sup> Once again they were granted time for reflexion until 15 April 1531, when they would have to submit a written explanation of their attitude to the

<sup>1</sup> *Corp. Ref.*, VOL. II, pp. 368 ff.

<sup>2</sup> *Corp. Ref.*, VOL. II, pp. 373 ff.

<sup>3</sup> *Corp. Ref.*, VOL. II, pp. 377 ff.

<sup>4</sup> Goldast, *Collectio constitutorum imperialium* (Frankfurt 1713), VOL. III, p. 513 f.; Le Plat, VOL. II, p. 472 f.; extract in *C.T.*, VOL. IV, p. xlv. Reports on the negotiations of 22 and 23 September in Lämmer, *Mon. Vat.*, p. 57 f.; *R.Q.*, XX (1906) *Gesch.*, pp. 60-4; Schirrmacher, *Briefe und Akten*, pp. 313-20.

articles on which no agreement had been arrived at. On the other hand, for the sake of public peace, the Emperor categorically ordered them to refrain from further propaganda and to tolerate the exercise of the Catholic religion wherever it was still practised. He also enjoined them to take strong measures against the Zwinglians and the Anabaptists. However, all the arguments, adjurations and threats of Joachim of Brandenburg, who again acted as spokesman for the Emperor and the Estates, failed to impress the Elector John of Saxony and his sympathisers. The Elector departed on 23 September; the rest followed his example.

The Emperor was greatly incensed by their obstinacy. He refused to accept Melanchthon's *Apologia*, a markedly polemical reply to the *Confutatio*. At a council of princes Charles dropped the remark, "Words and negotiations are useless—a strong fist alone avails!"<sup>1</sup> The rupture seemed an accomplished fact and forcible measures against the transgressors of the Edict of Worms the only solution. A point seemed to have been reached at which, fifteen years later, the Pope and the Emperor were to decide to declare war against the German Protestants.

If the war of religion did not break out there and then the reason was that the Emperor lacked the means to wage it. A great offensive alliance of the Catholic Estates, such as Joachim of Brandenburg and George of Saxony desired, was not to be thought of, and the ecclesiastical Electors of Cologne and Mainz were no less averse to it than the Count Palatine and the Bavarians. The Pope also was unhelpful. The imperial agent in Rome, Muscetula, sounded him, but to no effect.<sup>2</sup> The more clearly the Emperor realised that no help was forthcoming for a war of religion, the more anxious he was to keep the idea of a solution by means of a Council in the foreground. The Recess of the

<sup>1</sup> "Non verbis et consiliis, sed forti manu opus est," *R.Q.*, xx (1906) *Gesch.*, p. 63. "Wenig wort, aber ein starke faust" is the feeling of the men of Strasbourg, *Politische Correspondenz*, vol. I, p. 501 f.; for the procedure, cf. the memorial published by Maurenbrecher, *Karl V und die deutschen Protestanten*, appendix, pp. 16\*-21\*.

<sup>2</sup> In the Emperor's letter of 23 September to Muscetula, in *A.R.G.*, xxiii (1906), pp. 68-71, the use for the war of religion of the 6000 mercenaries set free by the capitulation of Florence is only hinted at. In the letter of 4 October, which has not been preserved but the contents of which may be inferred from Loaysa's letter of 20 October (*Coll. doc. inéd.*, vol. XIV, p. 92 f.), Muscetula was formally charged to ask the Pope for financial assistance. The latter, on his part, wrote to Lucca, Genoa, Venice, etc., *R.Q.*, xxi (1907), pp. 114 ff. As for public opinion, cf. Niño's report from Venice, 26 August and 27 October, *Cal. of St. Pap., Spain*, vol. IV, i, p. 619, and *A.R.G.*, xiii (1916-17), p. 72 f. Only at the beginning of December did the Pope offer 10,000 scudi a month, *R.Q.*, xxi (1907), p. 136.

Diet of 22 September accordingly contained a fresh promise of a Council. With the agreement of the Estates assembled at Augsburg the Emperor pledged himself to bring pressure to bear on the Pope and on Christian princes to the end that within six months of the conclusion of the Diet a General Council should be proclaimed and assembled within a year of its convocation. He described a Council as "the only remedy". In his mouth this was no mere commonplace. It was not his fault if once again he had to present himself before the Estates with a promise on his lips instead of with a papal Bull of Convocation in his hand.

The Pope's last word on the question of the Council was his letter of 31 July. During the month of August the imperial chancery had drawn up a reply in which the Emperor disposed of the Pope's objections. He pointed out that a Council was absolutely indispensable, were it only in order to refute the innovators' pretension that they, not the Roman Church, stood for genuine, original Christianity.<sup>1</sup> The document was not despatched because the Emperor wished to await the issue of the negotiations for reunion. Now that they had failed, and owing to the impossibility of a display of force, a Council no longer appeared to him as the crown and conclusion of a peaceful reunion. As such he had viewed it in the summer: now he saw it as an emergency escape from an almost hopeless embarrassment.<sup>2</sup> In an autograph letter of 30 October he explained the new complication to the Pope.<sup>3</sup> "No danger", he wrote, "that a Council might conjure up is commensurable with the terrible harm that its neglect would entail. It is even more urgently needed to ensure the very existence of Catholicism than for the disposal of the actual dispute." This was exactly the idea that was to prove decisive for the convocation of the Council of Trent. In order to leave the Lutherans no pretext for boycotting the assembly the Emperor named two cities still nominally subject to imperial overlordship, viz. Mantua and Milan, as suitable localities. On 15 November the bearer of the letter, Pedro de la Cueva, arrived in Rome,<sup>4</sup> where during the summer months, the rosiest hopes had been entertained.

<sup>1</sup> *A.R.G.*, XIII (1906), pp. 64-8; cf. p. 48 f.

<sup>2</sup> Charles V to Loaysa, 20 October 1530, *A.R.G.*, XIII (1916), p. 71 f.

<sup>3</sup> Heine, *Briefe*, pp. 530-3; before this the instructions for Cueva; information about the contents in *Cal. of St. Pap., Spain*, VOL. IV, I, p. 787 f.; *C.T.*, VOL. IV, I, p. xlvi f.

<sup>4</sup> Salviati puts Cueva's arrival on 16 November for on the 18th he writes that Cueva arrived "the day before yesterday", *R.Q.*, XXI (1907), p. 133, but Cueva himself gives the date of 15 November, *Cal. of St. Pap., Spain*, VOL. IV, I, p. 809.



The Corpus Christi procession through the streets of Augsburg, in which the Emperor and most of the princes had taken part,<sup>1</sup> as well as Melanchthon's conciliatory attitude, the obvious good-will and apparently unlimited authority of the head of the Empire, had combined to create the erroneous impression that the power of the Protestants was broken and that they were prepared to yield. The committee of cardinals were thunderstruck when on 29 September they listened to Campeggio's report of the 13th<sup>2</sup> in which he described the ineffectual negotiations for a compromise and foreshadowed an eventual rupture. The Pope was beside himself.<sup>3</sup> The spectre of a Council was now actually at his door, more menacing than ever. If he refused to convoke it he would be accused of hindering the settlement of the religious conflict in Germany. If he yielded he would be swept out into a sea of peril.

The policy he had hitherto pursued was based upon the opposition between the houses of Habsburg and Valois. But what if Francis I should decide to come to the Council at the same time as the Emperor—a prospect that looked likely enough?<sup>4</sup> In spite of all their protestations of loyalty it might well come about that one day he would be faced, all alone, by an overwhelming opposition. His own person would be dragged into the debate; gossip about his birth and his election would be revived, nay, as at Constance, they might even proceed to elect a new Pope.<sup>5</sup> Even the wishful dream of certain Venetians might come true, for there were those who hoped that a Council would partition the States of the Church, when Venice would come into possession of certain long-coveted territories in the Romagna.<sup>6</sup>

When Cueva presented the Emperor's letter on 16 November the Pope read it at once in presence of the envoy.<sup>7</sup> After reading the first

<sup>1</sup> Soriano's reports on impressions in Rome, July 1530, in Sanudo, *Diarii*, VOL. LIII, pp. 330, 368.

<sup>2</sup> Loaysa on 1 October, *Coll. doc. inéd.*, VOL. XIV, pp. 80 ff.; also Campeggio's report of 13 September, *R.Q.*, XIX (1905) *Gesch.*, pp. 145-9.

<sup>3</sup> Mai's report of 30 September, *Cal. of St. Pap., Spain*, VOL. IV, i, p. 732.

<sup>4</sup> *Cal. of St. Pap., Spain*, VOL. IV, i, p. 815; more in the next chapter.

<sup>5</sup> According to Mai's report of 10 October, *Cal. of St. Pap., Spain*, VOL. IV, i, p. 748, Ghinucci "had sold" to Henry VIII two Bulls of Julius II on the election of a Pope, "for the purpose of seeing what harm the English can do with or without a council". Mai felt that if either of these two Bulls were to be submitted to the Council, the Emperor would find it difficult to save the Pope. The reference is undoubtedly to the Bull *Cum tam divino* of 14 January 1505 and the Bull of Approval of 16 February 1513; Pastor, VOL. IV, ii, p. 876 f.

<sup>6</sup> *Cal. of St. Pap., Spain*, VOL. IV, i, p. 699; Niño's report of 26 August 1530.

<sup>7</sup> Cueva's and Mai's reports of 17 November, *Cal. of St. Pap., Spain*, VOL. IV, ii, pp. 809 ff. Cueva simultaneously presented a letter of the Emperor on the affairs of Florence and on Ferdinand's election as King of the Romans.

half the pontiff heaved a deep sigh. When he had read to the end he groaned a second time. His whole bearing betrayed deep depression. No! he could not say; to say Yes! seemed to him like signing his own death-warrant. Of the Emperor's good intentions he had no doubt, but would not events prove too strong for him? "A handful of drunken Germans are out to upset the Council and the whole world!" Quiñónez heard him say in a bitter tone.<sup>1</sup> "Let them! I shall then flee into the mountains. The Council may elect a new Pope—a dozen Popes—for each nation will want its own particular Pope!"

Cueva failed to dispel the Pope's fears, his only reply was more groans.<sup>2</sup> The envoy had a strong impression that they wished him to the devil—him and his demand for a Council. There was a general conviction that the Pope would never consent to the meeting of a Council. On the other hand well-informed people like Muscetula, Quiñónez and Loaysa knew by the end of November that there was no danger of a flat refusal. On 18 November Clement VII acknowledged the Emperor's letter<sup>3</sup> and asked for time to take counsel with the cardinals. As in June the committee of cardinals discussed the question in the first instance on 21 and 25 November; the consistory did so on the 28th. Cardinal Cibo read a letter from the Emperor addressed to the Sacred College, the text of which has not been preserved. All the documents relating to the affair, including those in Loaysa's possession, were laid before the cardinals.

There were those in the Sacred College who saw clearly what was wanted and who accordingly pressed for an immediate convocation of a Council. Among the keenest Loaysa mentions the canonist Del Monte, who had purposely returned to Rome in order to urge his opinion. He was supported by the one-time General of the Augustinians, Egidio of Viterbo, and by Alessandro Farnese.<sup>4</sup> The opinion of these men had great weight, but they were too few. The majority of the cardinals were utterly averse to a Council. They did not say so openly, but disguised their real sentiments under cover of sundry more or less plausible counter-proposals. Some demanded that a decision

<sup>1</sup> Mai on 28 November, *Cal. of St. Pap., Spain*, VOL. IV, i, p. 822 f. and No. 219, though this, like No. 215, is wrongly dated 1529.

<sup>2</sup> *Cal. of St. Pap., Spain*, VOL. IV, i, p. 828 f.; Cueva's report of 29 November.

<sup>3</sup> *Cal. of St. Pap., Spain*, VOL. IV, i, p. 812, and Salviati to Campeggio, *R.Q.*, XXI (1907), p. 133 f. The extracts from this papal letter and those of 6, 9 and 20 December, which were made at the imperial court are in *Coll. doc. inéd.*, VOL. IX, pp. 81 ff.

<sup>4</sup> Loaysa to Charles V, 30 November 1530; Heine, *Briefe*, pp. 68 ff.; *Coll. doc. inéd.*, VOL. XIV, pp. 104-111; description of the parties in Mai's report of 28 November, *Cal. of St. Pap., Spain*, VOL. IV, i, p. 822; Schönberg's objections, *ibid.*, p. 826.

should be held over until the rest of the princes had been informed. Others advocated a congress on the model of that of Mantua. No uncertainty exists about the chief motive of their aversion to a Council: they were aware that a great reforming Council, such as the one Charles V had in mind, threatened the foundations on which their style of living had been based for a hundred years. They also felt that any danger that might arise for the Pope from the partisans of conciliar theory threatened them equally.<sup>1</sup> However, they did not venture to advise the Pope to reject the demand. When it came to voting, all the twenty-six cardinals present spoke in favour of an affirmative answer though, as Loaysa sarcastically observes, they did so like merchants who jettison their wares in order to save the ship and their own lives.

The most competent of all the Pope's advisers, Cardinal Campeggio, set down his views in a confidential letter.<sup>2</sup> He saw three possibilities: a sincere Yes! which must be followed up with appropriate measures; a clear No! which must be fully justified; a qualified Yes! which would make the convocation of the Council dependent on the rest of the powers. The next steps, if the latter course were adopted, would be the postponement of the opening of the assembly and its eventual translation to a safe place. Campeggio excused himself for so much as mentioning this third course since it was in keeping neither with the dignity of the Vicar of Christ nor with the importance of the question. However, he knew the Pope too well not to be aware that it was the one course that would commend itself to a vacillating, timorous nature such as Clement VII's. As a matter of fact this was the path the Pope decided to enter upon.

In this way an impression was created abroad that a decision in favour of the Emperor's demand for a Council had been arrived at. The Pope seized every opportunity to appeal to the Emperor's sense of responsibility. To Muscetula he observed, "I place my life and my

<sup>1</sup> On the whole subject, cf. Salviati to Campeggio, 26 November 1530, *R.Q.*, XXI (1907), pp. 134 ff., and Sanseverino's consistorial acts in *C.T.*, vol. IV, p. xlviii. Campeggio's letter which, according to *Cal. of St. Pap., Spain*, vol. IV, I, p. 814, was read in consistory cannot be the one of 31 October, nor that of 11 November, since there is no mention in either of any observations by the Emperor on the Council's duty to initiate a reform, hence the reference must be to the letter of 11 August, Lämmer, *Mon. Vat.*, pp. 49 ff.; see also Walter, *Die Depeschen des venezianischen Gesandten N. Tiepolo*, p. 66; in that case Cardinal Quiñónez's instructions to his agent are to be placed not in November but at the end of September. They are nevertheless important for an estimate of the attitude of the cardinals.

<sup>2</sup> Lämmer, *Mon. Vat.*, pp. 64 ff. It is immaterial that this letter, dated 13 November, only reached Rome on 10 January, *R.Q.*, XXI (1907), p. 132; in the circumstances it had no direct influence on the Pope.

dignity under the Emperor's protection." <sup>1</sup> In all these discussions the personal intervention at the Council of both heads of Christendom was, of course, taken for granted. Had Clement VII at last satisfied himself as to the necessity of a Council? And was he in earnest about it as some eminent observers, even in the imperial camp, believed?

The first question may be answered in the affirmative, the second in the negative. One of the Pope's confidants, his secretary Sanga, admitted at a later period that, at bottom, Clement VII had always been opposed to a Council and had only yielded for the Emperor's sake. He gave way, but reluctantly and with many misgivings. He did not dare to refuse a Council, but he had no intention of bringing it about. He continued to tack according as the wind blew, and all the time at the back of his mind he cherished a hope that something would crop up which would put a stop to the whole affair. Nevertheless, as far as we know, he did not deceive the Emperor nor indulge in any double-dealing.<sup>2</sup> Nothing is known about a hint he is alleged to have given to France to sabotage the Council. The Pope gave a half-hearted assent, kept putting off a final decision and hoped for some obstacle to stop the project. And all the time he kept negotiating.

<sup>1</sup> *Cal. of St. Pap., Spain*, VOL. IV, i, p. 817.

<sup>2</sup> Even Loaysa excluded the idea of a deliberate deception. *Coll. doc. inéd.*, VOL. XIV, p. 147.

## Fruitless Negotiations (1531-1534)

IN the consistory of 28 November 1530 Cardinal Farnese reminded the cardinals that it was necessary to inform the other Christian princes of the prospective convocation of a Council. Briefs to this effect were despatched as early as 1 December to the Kings of France, England and Scotland and to the Italian potentates. To the Emperor the Pope addressed a short letter in his own hand, dated 6 December, in which he announced the arrival of a nuncio extraordinary.<sup>1</sup> Nicholas von Schönberg, who had been considered for the post, was prevented by illness,<sup>2</sup> so the choice fell on the Vice-Legate of Bologna, Uberto Gambara,<sup>3</sup> a scion of an ancient family of Brescia, who had acted as nuncio in England and whose family connexions would make him acceptable to the imperial party. He left Rome on 20 December, armed with instructions drawn up by Cardinal Cajetan and with oral directions from the Pope. The instructions raised a number of fundamental questions which, in reality, trenched on the sphere of theology. "Would the new Council have greater authority with the Protestants than the old ones? How is the discussion of their teaching, on which they insist, to be reconciled with the condemnation passed on it by earlier Councils? On what basis is it possible to discuss with them the nature of the Church and the sacraments since they claim to take their stand exclusively on the Bible and reject tradition as represented by the Fathers and the Councils?" In addition to these theological

<sup>1</sup> *Cal. of St. Pap., Spain*, VOL. IV, i, p. 817.

<sup>2</sup> According to a report of Cueva's, 29 November, *Cal. of St. Pap., Spain*, VOL. IV, i, p. 829, besides Muscetula, the nephew of Cardinal del Monte, the future Pope Julius III, had also been considered.

<sup>3</sup> On the future Cardinal Gambara (1539) who died in 1549, see Buonaccorsi, *Antichità ed eccellenza del Protonotariato* (Faenza 1751), pp. 295 ff.; P. Guerrini, *Cardinali e vescovi bresciani* (Brescia 1915), p. 7; there is much information about his English nunciature in *Cal. of St. Pap., Venice*, edd. Rawdon Brown and Bentinck (London 1864 f.), VOLS. III and IV, index. Four of Bembo's letters in the latter's *Opera*, VOL. III (Venice 1729), pp. 62 ff. Uberto's brother Francesco was a captain in the Emperor's service. The instructions of 19 December, *C.T.*, VOL. IV, pp. lii ff.; credentials of the Pope and the cardinals of the same date, Lanz, *Correspondenz*, VOL. I, p. 409 f.; the contemporary letters of Cueva, Muscetula and Loaysa in *Cal. of St. Pap., Spain*, VOL. IV, i, pp. 849 ff.

problems the instructions raised others of an ecclesiastical-political character. The Protestants' conduct at Augsburg had made it clear that their sole aim in demanding a Council was to gain time. But would not a Council enable them to contrive a schism even more dangerous than that of Basle? When one recalled the fruitless efforts then made by the Emperor Sigismund, one might well ask, "Will the Emperor's presence at a Council that may go on for years guarantee the safety of the Pope as well as public order and tranquillity? Will he be strong enough to assert himself at a Council which claims superiority over the Pope? A Council actually claiming supreme authority on earth, even over emperors and kings? Lastly, is not the Turkish menace against which the Council is bound to take measures too pressing for defence measures to be so long delayed?"

To sum up: far from being the bearer of an expression of assent, Gambara was burdened with a packet of objections and queries which were nothing else but the Pope's supreme attempt to restrain the Emperor from proposing a Council. Gambara began by delivering his message by word of mouth on 16 and 17 January at Liège, where the court was resting on its progress to the Netherlands after the coronation of Ferdinand as King of the Romans at Aachen. He subsequently submitted them also in writing,<sup>1</sup> and in case the Emperor should stick to his proposal he enumerated the conditions which the Pope had attached to the convocation of the Council. They were five in number: (1) The only subjects of discussion at the Council were to be the new heresy and the Turkish war; (2) the Emperor was to pledge himself to assist in person at the Council during its entire duration; should he withdraw the assembly would be regarded as dissolved; (3) the Council was to meet in Italy and at a place designated by the Pope; (4) only those persons would have a vote who were entitled to it by canon law; (5) the Lutherans were to make a formal demand for a Council and to send plenipotentiaries.<sup>2</sup>

These conditions amounted to a rejection of the Emperor's proposal since the reform of the Church, which was the chief reason why he wanted a Council, was excluded from the agenda. And how could the ruler of a world-wide empire bind himself to attend from start to finish a gathering the duration of which no man could foretell? The Protestants were required to make a fresh request for a Council. In view of their former appeals they would surely refuse to do so, and if the Council

<sup>1</sup> C.T., vol. IV, p. liv f.

<sup>2</sup> C.T., vol. IV, p. lvii.

were to meet in Italy they would allege that there was no guarantee for their personal safety.

Gambara's objections and conditions did not take the Emperor by surprise; the reports from Rome of Cueva and other diplomatists had left him but little hope of anything else. Cautious and conscientious as he was, he sought the advice of his brother and the German princes.<sup>1</sup> He refused to be discouraged but stuck to his plan for a Council with the utmost tenacity. If he gained nothing else he was at least determined that the blame for the delay, or the failure to convoke a Council, should not rest on his shoulders. Before all else it seemed necessary to ascertain clearly Francis I's attitude to the question of a Council.

While the Diet was still in progress he had instructed his agent Noircarmes, who was about to proceed to Paris, not to broach the subject, or to do so only if a suitable occasion presented itself.<sup>2</sup> On the other hand he himself sounded Queen Eleanor, his sister.<sup>3</sup> The information he elicited sounded reassuring, in fact it was surprisingly favourable. More than that—on 21 November the King openly declared himself in favour of the convocation of a Council! The only suspicious circumstance was that he urged the choice of a locality that would suit the various nations and prayed that the time-limit within which the Council was to meet should not be too precisely laid down.<sup>4</sup> But when Charles's new agent, Louis de Praët,<sup>5</sup> arrived at the French court on 1 February, the King kept him waiting for an answer for nearly two months. The information he then gave could only be regarded as a delaying manoeuvre.<sup>6</sup> Francis proposed a convention of ambassadors in Rome whose task it would be to examine all particular questions connected with a Council. Whether or no a Council would meet would depend on the reply of the Lutherans. He made no comment on the Pope's conditions. This gave rise to a suspicion of the existence

<sup>1</sup> Lanz, *Correspondenz*, VOL. I, pp. 429 ff. (3 April 1531); on 27 April Ferdinand replied, "No . . . es razón de dexarlo caer," *ibid.*, p. 443.

<sup>2</sup> Weiss, *Papiers*, VOL. I, p. 478. Noircarmes was told to insist that Charles's desire for a Council was not prompted by personal considerations but by his concern for the general good of Christendom.

<sup>3</sup> *C.T.*, VOL. IV, p. xlv, n.1.

<sup>4</sup> *C.T.*, VOL. IV, p. 1.

<sup>5</sup> Instructions of 1 February 1531 in Weiss, *Papiers*, VOL. I, p. 502 f. Here too Charles stresses once more the general good of Christendom ("au bien de nostre sainte foy et à la respublique crestienne"). He does not wish his envoy de Praët to enter into particulars about the convocation and eventual celebration of the Council.

<sup>6</sup> I have not the text at hand, but the Emperor's reply of 3 April 1531 (Weiss, *Papiers*, VOL. I, pp. 512 ff.) and his letter to Ferdinand of the same day already mentioned (Lanz, *Correspondenz*, VOL. I, pp. 429 ff.) enable us to infer its contents.

of a secret understanding between him and the Curia<sup>1</sup> for the purpose of putting off a Council indefinitely while laying the responsibility to the Emperor's charge.

This unwelcome but by no means unexpected information did not prevent the Emperor from assuring Gambara on 4 April at Ghent that the objections which had been laid before him did not shake his conviction of the absolute necessity of a Council, though it was for the Pope to take the appropriate steps for its realisation.<sup>2</sup> He explained his attitude to the five conditions in a note which his ministers Granvella and Cobos presented to the internuncio. He insisted that the agenda of the Council must not be restricted from the start to the heresy and the Turkish war. The convocation, therefore, must be couched in a general formula and without any restriction of the above kind. Nor would he hear of the procedure being exclusively governed by written Canon Law, the stipulations of which, as a matter of fact, were inadequate. He added yet another guiding rule—a highly questionable one—namely, the practice of earlier Councils. He held out the prospect of his personal attendance for as long as the business of the Council made it desirable and once again designated Milan or Mantua as the most convenient places of assembly. The last condition, that the Protestants should make a fresh demand for a Council, had been dropped by Gambara.<sup>3</sup> Before returning to Rome with this information the internuncio repaired once more to Brussels to put the Emperor on his guard against "the deadly medicine" which he was in the act of prescribing for ailing Christendom.<sup>4</sup> Unless the Council's range of business was restricted beforehand it would undoubtedly pounce at once upon the question of authority, proclaim itself superior to the Pope and devise an order of procedure on the model of Constance, with the result that ten or eleven Englishmen would count for as much as one or two hundred prelates of any other conciliar nation. From one piece of advice which Gambara gave to the Emperor, no doubt without

<sup>1</sup> Mai expresses this suspicion already on 10 January and gives it as his opinion that Francis I would exact payment for his support of the papal policy in some other way, *Cal. of St. Pap., Spain*, VOL. IV, II, p. 11; Muscetula's view, *ibid.*, p. 18 f.

<sup>2</sup> In the "Respuesta" we read: "A él (S.S.dad) toca la determinación de lo que se debe y es necesario y conviene hacer," *Coll. doc. inéd.*, VOL. IX, p. 87.

<sup>3</sup> *C.T.*, VOL. IV, p. lx.

<sup>4</sup> Ehses has furnished convincing proof that Gambara, not Campeggio, is the author of the memorial in *C.T.*, VOL. IV, pp. lxi-lxiii. The text is unfortunately so corrupt in many places that the meaning is obscure. The manuscript which Gambara took with him to Rome from the imperial court is in the Vatican Archives, *Lettere di principi*, 11, fol. 232<sup>r</sup>.



any formal commission by the Pope, though certainly in accordance with his intentions, we learn what was uppermost in his mind. It was that, come what may, the opening of the Council should be delayed for two years. Much might happen in two years. Like the King of France, Gambara also strove to gain time.

In Rome Francis I's reply to Praët gave great satisfaction to the opponents of the Council.<sup>1</sup> "It is all up with the plan for a council," they said, with a sigh of relief. At the same time rumours were circulating about a forthcoming meeting of the three heads, either at Bologna or at Nice. The Pope energetically disclaimed his having instigated the French intrigue.<sup>2</sup> In the opinion of the imperial diplomats it was the work of the former French ambassador in Rome, Grammont, now a cardinal. The cardinal reasoned thus: "If we put the Pope under obligation by preventing a Council we may succeed in drawing him once more into the main stream of French policy; and this all the more surely if we offer him an advantageous family connexion such as the marriage of his niece Catherine with the King's second son, Duke Henry of Orleans." Events were to show that Grammont's calculations were correct; but it took time before the Pope got over his unpleasant experiences with his French allies during the war. Meanwhile he continued the policy on which he had agreed with the Emperor. His nuncio, Trivulzio, sought to win over Francis I for the convocation of a Council. Among the places suggested for its assembly, besides Mantua and Milan, were Bologna and Piacenza, both within the Papal States.<sup>3</sup>

However, neither the Pope's own action nor a fresh mission of de Praët to the French court helped in any way to forward the affair of the Council in that quarter. When Cardinal Grammont came to Rome in May 1531 to negotiate the marriage of Catherine de' Medici with Henry of Orleans, he bluntly announced that the King would only accept Turin as a meeting-place.<sup>4</sup> No further doubt remained: Francis I

<sup>1</sup> Mai's despatches of 28 March, 5 and 14 April, and Muscetula's of 13 April are in *Cal. of St. Pap., Spain*, VOL. IV, ii, pp. 105, 111, 118 ff.

<sup>2</sup> Thus Mai's above-mentioned report of 28 March. Loaysa felt the Pope's assurances could be relied upon because in the course of the audience the pontiff did not hesitate to read to him two despatches from the French nuncio which had only just been handed to him and which he had not yet seen himself, *Coll. doc. inéd.*, VOL. XIV, p. 147, and he stuck to this opinion even later on, *ibid.*, p. 188 f.

<sup>3</sup> The text of the Pope's letter to Francis I is not known; our only knowledge of the nature of its contents is derived from the letters of Loaysa and Salviati, Heine, *Briefe*, pp. 421, 541; cf. *C.T.*, VOL. IV, p. lxv.

<sup>4</sup> Extracts of the correspondence in *C.T.*, VOL. IV, p. lxvi f.

sought to prevent a Council. His chief motive was no less clear. A settlement of the religious discord in Germany by means of a Council would have meant an immense increase of power for the Emperor, while a further smouldering of the conflagration could only diminish it. The political alliance of the Protestant princes and towns—the so-called League of Schmalkalden, founded on 27 February 1531—constituted a natural ally for the French King against the head of the Empire. For reasons of state Francis favoured the division of the Empire into two religious parties and sought to frustrate every measure that could have led to a permanent understanding, among which a Council would have been by far the most effective.

The exchange of ideas on the question of a Council which Campeggio kept going throughout the summer of 1531 did not lead to an appreciable reconciliation of the two opposite points of view. The consistory of 10 August 1531 arrived at the unanimous conclusion that a Council could not be convoked before all obstacles had been removed and all Christian princes had given their assent.<sup>1</sup> These preliminary conditions were incapable of fulfilment. France's attitude, as well as that of England, her ally, made it evident that the Recess of Augsburg would not be executed. The Emperor accordingly decided to summon another Diet before returning to Spain. This Diet was all the more necessary as he needed more than ever the assistance of the Estates against the Turks. With a view to inducing the members of the League of Schmalkalden to supply him with auxiliaries he instructed Cardinal Albrecht of Mainz and the Count Palatine Frederick to enter into negotiations with them, first at Schweinfurt and later on at Nuremberg, in the hope of reaching an *Interim* which, while it sacrificed no dogmatic principle, would guarantee, in the name of the Emperor and the Empire, the continuation of the *status quo* until a Council should meet.

The Curia took good care to hold aloof from these negotiations so as to avoid anything that might be interpreted as a recognition of basic Protestant principles.<sup>2</sup> On the other hand the Pope was more willing

<sup>1</sup> Text of the consistorial acts in P. Kalkoff, *Forschungen zu Luthers römischen Prozess*, p. 93.

<sup>2</sup> If we may give credence to Aleander's later reports, there were people in Rome also who advocated an understanding with the Protestants, Lämmer, *Mon. Vat.*, pp. 114, 129, 134. The nuncio based one of his many warnings against any kind of participation of the Curia (to those printed in Lämmer must be added that of 26 March, *Vat. Arch.*, Germania, 54, fol. 113<sup>v</sup>) on this particular motive—that if an understanding were to be brought about, it could only be revoked by a Council “quod non solum est contra propositum nostrum, ma etiamdio tanto lungo da farse”, Lämmer, *Mon. Vat.*, p. 118.

than ever to come to terms with the innovators on the basis of concessions in the sphere of discipline. For by this means he hoped to render a Council superfluous and to rid himself of the worry it was causing him. By his order Cardinal Cajetan drew up a memorial in which he marked off the boundary lines beyond which there could be no concessions.<sup>1</sup> For so great a theologian it was obvious that there could be no question, to give only one instance, of tampering with the sacrificial character of the Mass, by the elimination of the Canon, which had been discussed at Augsburg. On the other hand he recommended for Germany the concession of the marriage of priests, on the model of the Greek Church, as well as Communion in both kinds, subject to the stipulations laid down at Basle. But his most far-reaching proposal was the issue of a general decree, that is one that would be valid throughout the whole Church, to the effect that the commandments of the Church regarding the reception of the sacraments and the feast and fast days were not binding under grave sin. Such a decree would have removed a number of difficulties arising from the Protestants' attitude to the *jus humanum*. The concessions advocated by Cajetan appeared so extraordinary to his canonist colleague Accolti that he deemed it incumbent on him to warn the Pope against granting them, on the ground that he would run the risk of deposition by the Council as a disturber of ecclesiastical discipline. Cajetan even went a step further. He gave it as his opinion that reunion with the Protestants could be brought about provided they gave an assurance that they believed all that the universal Church believed; no need to demand a formal recantation from their theologians, or a formal profession of faith from

<sup>1</sup> Cajetan's and Accolti's memorials are published by W. Friedensburg in *Q.F.*, III (1900), pp. 16 ff.; cf. the letters of Loaysa and Mai, in Heine, *Briefe*, pp. 154 ff. also *Cal. of St. Pap., Spain*, vol. IV, ii, p. 660 f. If the date of the last-named letter is correct (26 July 1530), Cajetan's memorial would fall in the month of July 1530, that is during the sitting of the Diet of Augsburg. The discussion between Cajetan, L. Campeggio and Egidio of Viterbo, of which Sadoletto speaks in his commentary on *Romans* (*Opera*, ed. Ransilius, 1607, vol. IV, p. 323 f. and p. 328) falls in the same period. The three cardinals were agreed that a papal declaration to the effect that the law of fasting did not bind under sin was desirable. Sadoletto, however, counselled the Pope to wait until a formal demand to that effect should be made. If we are to judge fairly the readiness of these circles for concessions, we must bear in mind that after Aleander had read the *Confessio Augustana* and the *Apologia* (May 1532), even he came to the conclusion that an understanding might have been reached at Augsburg. As for the *Apologia*, it was said in Rome itself that "esserli dentro molte cose buone", Lämmer, *Mon. Vat.*, pp. 114, 122. The Wittenberg divines put together the concessions which they found acceptable in the "*Consilium*" of 14 September 1531 cf. K. Graebert, "Konsilium für den 1531 zu Speyer angesetzten Reichstag", in *Z.K.G.*, xxvi (1905), pp. 150-8.

the Estates. It was impossible to go further in an endeavour to facilitate their return to the Church: the uttermost limit of what was possible had been reached, it may even have been crossed. Ten years earlier an offer such as this might have led to the return of a large part of the Lutherans, but by now their progress in the direction of a separate confessional community had advanced too far. Clement VII never made an offer of this kind to the German Protestants. How little he understood their mentality is glaringly illustrated by an incident which occurred about this time.<sup>1</sup> In the autumn of 1531 a Milanese of the name of Raffaele Palazzolo presented himself at the Vatican. The man claimed to have established contact with the court of the Elector of Saxony through a certain Master Jacob of Dresden. In this way he claimed to have ascertained that at that court there existed extraordinarily favourable conditions for reunion. He produced letters which seemed to confirm his assertions. With the Pope's approval Jacopo Salviati provided him with the means for another journey to Germany. At Augsburg Palazzolo got in touch with the local divines, especially with Urbanus Rhegius and Musculus, as well as with a Venetian Minorite of the name of Bartolomeo Fonzio, a fugitive from the Inquisition. From Augsburg he journeyed to Wittenberg by way of Nuremberg. The result of his negotiations was embodied in three documents, namely a statement by Luther on his attitude to reunion; a collective memorial of the divines of Augsburg, and, thirdly, a separate memorial by the Zwinglian Keller. These three documents stated that on certain specified conditions in the material as well as the personal spheres the theologians of Augsburg and Wittenberg were prepared to come to an agreement. Thus what had been vainly attempted at the Diets of Worms and Augsburg, with an enormous expenditure of human energy and material resources, appeared to have been achieved, or at least to have been brought within reach, by a single, skilful agent.

The pity of it was that the whole thing was a fraud. Luther's alleged statement is undoubtedly spurious, and if the two theological memorials are not a forgery, they were at least touched up by Palazzolo. A cheat had attempted to make a good thing out of a historic tension while Fonzio, his accomplice, hoped to rehabilitate himself by means

<sup>1</sup> J. Schlecht, "Ein abenteuerlicher Reunionsversuch", in *R.Q.*, vii (1893), pp. 333-85; Th. Kolde "Über einen römischen Reunionsversuch", in *Z.K.G.*, xvii (1897), pp. 258-69. Although Salviati wrote to the legate on 12 September 1531 that "S.B<sup>ne</sup> non da intera fede a questa offerta" (Lämmer, *Mon. Vat.*, pp. 78), it is nevertheless painful to see that so shady a "pratica" should have received any consideration at all.

of a trick. The Pope had been hoodwinked by a pair of rogues. Palazzolo's scheme for reunion, of which the papal diplomatists at the imperial court were duly informed—when too late—burst like the bubble that it was.

After all that had happened or, more accurately, had failed to happen, it was to be expected that during the forthcoming Diet the barometer would point to stormy weather. To conjure away the storm the Pope assigned to the Cardinal-Legate Campeggio, who was still at the imperial court but was often incapacitated by bouts of illness, a younger assistant in the person of Aleander, in the capacity of nuncio extraordinary. Thus, after an interval of ten years the creator of the Edict of Worms found himself once more on German soil.<sup>1</sup> It did not escape Aleander that in the meantime heads had cooled. At Mainz where he had barely escaped stoning, people vied with one another in doing him honour, and persons of position, who formerly avoided him, now sought him out. From the heights of religious and national enthusiasm people had come down into the lowlands of religious politics. In this field the resourceful Aleander saw many more opportunities than Campeggio, whose *caeterum censeo* was "only by force of arms can the Protestants be brought back to the obedience of the Emperor and the Roman Church".<sup>2</sup> In his reports Aleander unhesitatingly laid on the shoulders of the legate most of the blame for the failure of the Augsburg negotiations for a compromise and of the attempts to win back Melanchthon.<sup>3</sup> Opportunities had been allowed to slip; all they could do was to keep their eyes open for other chances. On the other hand even Aleander did not dare to make a stand for the solution which Quintana, the Emperor's confessor, represented as the only possible one.<sup>4</sup> "My whole frame trembles", he wrote to Salviati,<sup>5</sup>

<sup>1</sup> The chief sources for what follows are Aleander's register, Vat. Arch., Germania, 54, and Campeggio's despatches (original text) in Vat. Arch., Lettere de principi, 11, and Germania, 51. The extracts in Lämmer, *Mon. Vat.*, pp. 70-146, reproduce most of the passages relating to the Council but are not always complete: in what follows I fill in the gaps. A. Westermann's *Die Türkenhilfe und die politischkirchlichen Parteien auf dem Reichstag zu Regensburg 1532* (Heidelberg 1910) reached me too late.

<sup>2</sup> Lämmer, *Mon. Vat.*, pp. 73, 127.

<sup>3</sup> From Aleander's many sharp observations about the legate I cull only a few: Lämmer, *Mon. Vat.*, pp. 114, 120, 128 ("Dio perdoni a chi per negligentia o altri rispetti lo lassi perder"), p. 130 ("Il cuor mi creppa quando comprendo che si habbii persa una bella occasion di far bene"). The tension was further increased by the circumstance that both Aleander and Campeggio's brother Tommaso aspired to the Venetian nunciature.

<sup>4</sup> Aleander's report of 30 December 1531, Lämmer, *Mon. Vat.*, p. 93.

<sup>5</sup> Aleander's report of 25 November 1531, Vat. Arch., Germania, 54, fol. 55", Lämmer, *Mon. Vat.*, p. 90, but incomplete.

"whenever I have to make a report about the Council, for as soon as I open my mouth to utter a word I seem to feel the blows of those who accuse me of having thought of nothing but a Council during the whole of the last quarter of a century. Yet the reproach is without foundation. I have always felt that it would be better to reform the Church without a Council, that is, through the Pope alone; on the other hand a reform is inescapable."

If a nuncio had to reckon with sentiments of this kind in Rome, what are we to think of a brief which he presented at his first audience? In this document the Pope assured the Emperor once more that he was ready to hold a Council whose task it would be not only to recall the heretics but to reform the Church *in capite et membris*. In view of the fact that the Pope insisted at the same time that in no circumstances could it be convened without the assent of France and England, the whole thing remained problematic.<sup>1</sup>

As soon as the Diet opened at Ratisbon on 17 April 1532, the storm broke. The outbreak was not due to the League of Schmalkalden, whose members stayed away. Moreover, after protracted negotiations, the Emperor had concluded with them the Pacification of Nuremberg on 23 July.<sup>2</sup> This time trouble came from the Catholic Estates. "Each and all" Aleander wrote to Salviati,<sup>3</sup> "stubbornly demand that a Council be proclaimed within six months and convened within a year. Our best friends refuse to listen when we suggest a better remedy; they assure us that if we could only witness how passionately this affair is being discussed at the Diet we would not dare open our mouths."

The Estates' reply which was presented to the Emperor on 9 June,<sup>4</sup> was not restricted to this demand which would have been in accordance with the Recess of Augsburg—it went a good deal further. "If the Pope fails to call a Council," it said, "then our humble but pressing admonition and prayer is to the effect that your imperial majesty should yourself convoke and convene a General Council in your capacity as Roman Emperor." If the Emperor felt unable or unwilling to take

<sup>1</sup> Aleander's report of 19 November 1531, Lämmer, *Mon. Vat.*, p. 87 f.

<sup>2</sup> According to Granvella and Cobos both Campeggio and Aleander were kept informed of the negotiations. The most valuable appreciation of the situation is in Campeggio's memorial of 1 June, *Vat. Arch.*, *Lettere di principi*, 11, fols. 180<sup>r</sup>-182<sup>v</sup>, printed by Lämmer, *Mon. Vat.*, pp. 123-7. A. Engelhardt, "Der Nürnberger Religionsfriede" in *Mitteilungen des Vereins für Geschichte der Stadt Nürnberg*, xxxi (1933), pp. 17-123.

<sup>3</sup> Aleander to Sanga, 25 June 1532, Lämmer, *Mon. Vat.*, p. 138 f.

<sup>4</sup> *C.T.*, vol. iv, pp. lxxiii ff. The German text of the correspondence between the Emperor and the Estates is given by J. Ficker in *Z.K.G.*, xii (1891), pp. 583-618.

such a step there only remained the alternative of a national convention. Their suggestion, in other words, amounted to this, namely that the monarch should follow the example of Constantine and his successors in Christian antiquity and that of the Emperor Sigismund at the time of the Great Schism, by taking the convocation of a Council into his own hands. So embittered were the Catholic Estates by the dilatory tactics of the Curia and so great was their distrust of its intentions<sup>1</sup>—a distrust still further fomented from certain Italian quarters—that they encouraged the Emperor to make a schismatic conciliar proclamation and even reverted to the project of a national convention at Nuremberg so long ago condemned.

Charles V had no intention of allowing himself to be driven into so slippery a path. In his reply<sup>2</sup> he most loyally defended both his own and the Pope's conduct in the affair of the Council and requested the Estates to support his future endeavours which would take the form of an embassy to the Pope and eventually also to the King of France and other Christian princes. He was well aware that the man who in his blind hatred of the house of Habsburg was even then rousing the Catholic Estates against him, while seeking to push him on to the slippery slope of schism, namely the Bavarian chancellor Leonhard von Eck—had long ago entered into a secret agreement with the French and the men of Schmalkalden and was actually looking after the latter's interests.<sup>3</sup> The fact remained, however, that this time the Catholic Estates refused to be fobbed off with vague promises; they insisted on full compliance with the demands embodied in their first reply. They also drew attention to the fact that nothing had been done since the Diet of Augsburg in respect of the *gravamina*.<sup>4</sup>

One grave aspect of the Ratisbon demand for a Council was that

<sup>1</sup> The Duke of Ferrara claimed to have in his hands letters of the Pope in which the pontiff gave an assurance that for the time being he would issue no decision in the matter of Henry VIII's marriage "pur che per qualunque via si dimorasse il concilio", Lämmer, *Mon. Vat.*, pp. 77, 90 f.

<sup>2</sup> *C.T.*, VOL. IV, p. lxxvi f.; Granvella communicated the contents to Campeggio on 22 June, *Vat. Arch.*, Lettere di principi, 11, fol. 139<sup>v</sup>.

<sup>3</sup> On Eck's intrigues, cf. Janssen, *Geschichte*, VOL. III, pp. 295 ff. (Eng. edn., VOL. V, pp. 367 ff.). It is a significant circumstance that both the plan for a national Council at Speyer in 1524 and the even more far-reaching proposals made to the Emperor originated in Bavaria.

<sup>4</sup> The "Replik" of 22 June is in *C.T.*, VOL. IV, pp. lxxvii ff. It was with difficulty that the Emperor succeeded in keeping out of the Recess of the Diet the proposal made to him that he himself should convoke a Council, Lämmer, *Mon. Vat.*, p. 143 f.; the Estates would not hear of the embassy which the Emperor wished to send to Rome in connexion with the affair of the Council and the *gravamina*; *Z.K.G.*, XII (1891), p. 603, 27 June.

unlike a similar demand at Nuremberg nine years earlier it was not weighted with conciliarist and semi-Lutheran conditions. It came from the Catholic Estates exclusively and without any appendage of clauses that could never be fulfilled. The question of place and composition of the Council and the right to vote remained open and was left to the Pope's decision. It is evident that to some extent the ideas of the Catholic Estates had been clarified, a circumstance that would make it easier for the Pope to accede to their request for a Council. The Protestants, on the other hand, stuck to their idea of a Council as stated in the familiar Nuremberg formula.

By the terms of the Pacification of Nuremberg the Emperor was bound to work for the convocation of a "free Christian Council" within the agreed time-limit or to summon a new imperial Diet. An ambiguous situation was thus created which was bound to make it more difficult to accede to the demand for a Council.<sup>1</sup>

This embarrassing situation led to another meeting between Charles V and Clement VII at Bologna from 13 December 1532 to 28 February 1533.<sup>2</sup> During the three years since the first encounter of the two monarchs in the second city of the States of the Church the Council had not only not come one step nearer, but on the contrary, chiefly owing to the difficulties created by France and England, such an assembly had receded still further into the background. This time the Emperor came to Bologna firmly resolved to get the Pope to call a Council at once regardless, if necessary, of the two Western powers. It was to meet not in some German town, as the Protestants persisted in demanding, but in a city of Northern Italy, though not one situated in the States of the Church since in that case the Protestants would question the freedom of the assembly.<sup>3</sup> The Emperor failed in his resolve. Though voices were raised in the consistory of 16 December in favour of an immediate summons of a Council,<sup>4</sup> four days later the

<sup>1</sup> This equivocation did not escape the sharp eye of Aleander. On 21 June he notes that the Catholics "non contradicono che non si facci il concilio al modo antiquo di la Chiesa Catholica alcontrario di gli heretici li quali il demandono libero et in Germania", Lämmer, *Mon. Vat.*, p. 139, cf. p. 129.

<sup>2</sup> Its course is best described by Pastor, VOL. IV, II, pp. 468 ff. (Eng. edn., VOL. X, pp. 216 ff.). However, it must be borne in mind that in this second encounter also most of the negotiations were conducted without witnesses and no record in writing was made.

<sup>3</sup> The chief witness is Guicciardini, who took a personal part in the negotiations, *Storia d'Italia*, XX, VI (ed. Panigada, VOL. V, p. 310 f.): (Cesare) "instava che il Papa allora lo intimasse". However even the attitude of the minority in the College of Cardinals, as shown on 16 December, presupposes a proposal of this kind by the Emperor.

<sup>4</sup> Report of the French ambassador François de Dinteville, Bishop of Auxerre, 24 December, Ranke, *Deutsche Geschichte*, VOL. III, p. 316.



majority of the cardinals swung round to the Pope's view that Francis I should be approached once more. The brief addressed to him on 2 January 1533 and briefs couched in almost identical terms destined for the Kings of England, Poland and Portugal had scarcely been despatched when on 3 January Cardinals Grammont and Tournon arrived at Bologna. It was generally believed that the only purpose for which the King had sent them was to prevent the proclamation of a Council.<sup>1</sup> The French reply, as was to be expected, was evasive, that is, in the circumstances negative.

The last uncertainty was thus disposed of: it was evident that for political considerations France was sabotaging a Council. If Clement VII nevertheless stuck to his condition that Francis I's assent to the convocation must be secured and if with the despatch of nuncios to France and Germany he took up once more the diplomatic game at the end of February, there is only one explanation for his conduct. He had given up every intention of convoking a Council and was merely pursuing a face-saving policy against the ceaseless pressure by the Emperor and the Catholic Estates.<sup>2</sup>

Three years earlier, at the Emperor's request, he had started negotiations, but had done so reluctantly. Now that France's attitude left no room for uncertainty he was unable to make up his mind to convoke a Council in virtue of his own apostolic authority, nor did he dare to break off negotiations with the Emperor before his political ties with France had been made more secure and the prospective family alliance between the houses of Valois and Medici brought about. The negotiations were no more than a façade which Clement VII actually needed, were it only because Charles V had promised the Estates that he would call a national convention in the event of the negotiations for a Council proving fruitless. Now a gathering of this kind was equally distasteful to the Pope and to the Emperor, as was shown by what happened in 1524. On the advice of Aleander, who had a seat in the mixed commission formed at the beginning of January,<sup>3</sup> soothing letters reporting

<sup>1</sup> "E opinion questi stà destinati per far cessar ogni pratica zerca il consilio," report of the Venetian envoys, 3 January, Sanudo, *Diarii*, VOL. LVII, p. 418.

<sup>2</sup> Sanudo, *Diarii*, VOL. LVII, p. 481 f. (28 January): "L'Imperator sollicita al papa per il concilio"; also p. 499 (3 February): "Sollicita li tre deputati per Sua Beatitudine a intimar il concilio"; cf. also pp. 515, 517.

<sup>3</sup> According to Aleander's account, whose observations in Cod. Vat. lat. 3914 are our main source of information on this point, the papal members of the commission included Farnese, Campeggio, Cesi, and Aleander, while the imperial side was represented by Merino, Cobos, Granvella and Mai. The Venetians also mention de Praët (Sanudo, *Diarii*, VOL. LVII, pp. 405, 452), whom Guicciardini (xx, vi) mentions

progress were despatched to King Ferdinand and to the Estates.<sup>1</sup> When the nuncio was about to set out for Germany the Emperor assigned to him a companion in the person of one of his counsellors, Lambert de Briarde, with secret instructions to keep a sharp eye on his colleague lest he should sabotage the Council by some underhand trick.<sup>2</sup> Charles V's distrust of the Pope's intentions was deep, but it was not unjustified.

In the secret treaty<sup>3</sup> which the Pope and the Emperor concluded at Bologna on 24 February, provision was made for a fresh attempt at an understanding in the event of Germany, that is, the German Protestants, rejecting a Council. The Pope undertook to do his utmost to dissuade Francis I from putting any obstacles either to a Council or to an understanding. No mention was made in the treaty of the convocation of a Council even without France's assent. From this fact we must infer that though the sixth and eighth paragraphs of the instructions for the nuncio who was about to leave for Germany contained a promise to ignore the opposition that might be expected from one of the Christian potentates, and to convene within six months—with the help of the *pars sanior* of the princes—a Council that would deal with questions of faith and reform, the allusion was not to the King of France but exclusively to the German Protestants.<sup>4</sup> In point of fact it was they who constituted the second difficulty.

When Ugo Rangoni, Bishop of Reggio-Emilia<sup>5</sup> arrived in Germany in connexion with the negotiations for an Italian alliance; in these some of the deputies of the papal side also took part.

<sup>1</sup> The brief of 10 January to Ferdinand I in *C.T.*, VOL. IV, p. lxxxiv; the briefs to the circles of the Empire and to the Electors in Raynald, *Annales*, a. 1533, No. 6; Le Plat, VOL. II, p. 513 f. The Emperor's letters in Lünig, *Reichsarchiv*, VOL. II, p. 606 f. (with the date of 8 January 1533).

<sup>2</sup> Lanz, *Staatspapiere*, p. 101. Lambert de Briarde's commission to find out what Ferdinand and the other princes thought of the possibility of satisfying Germany in the event of the failure of the plan for a Council points in the same direction.

<sup>3</sup> Critical text by S. Ehses, in *R.Q.*, v (1891), pp. 299-307; the relevant passages are on pp. 302 and 304.

<sup>4</sup> The instructions of 27 February 1533 which were approved by the mixed commission and which are in complete agreement with Aleander's memorial (Lämmer, *Mantissa*, pp. 139-43) are in *C.T.*, VOL. IV, p. lxxxvii f.

<sup>5</sup> Biographical details in Tiraboschi, *Biblioteca Modenese* (Modena 1781-6), VOL. IV, p. 313; documents about his family in L. Rangoni Machiavelli, *Notizie sulla famiglia Rangoni di Modena* (Rome 1909). According to Tiraboschi, *Biblioteca Modenese*, VOL. IV, pp. 299 ff., Ugo's cousin Guido was a celebrated condottiere in the service of the Emperor; Brown, *Cal. of St. Pap., Venice*, VOL. IV, p. 358. Ugo's credentials for Ferdinand I, dated 20 February, in Raynald, *Annales*, a. 1533, No. 7; those for Joachim I of Brandenburg in Lämmer, *Mantissa*, p. 141 f. S. Ehses, "Eine Konzilsreise durch Deutschland im Jahre 1533", in *Pastor bonus*, XIV (1901-2), pp. 29-34.

in the capacity of nuncio he began by calling upon King Ferdinand in company with Briaerde. Afterwards he saw the Electors and the most influential members of the princely body. All of them hailed the announcement of the Council with enthusiasm and declared themselves satisfied with any of the prospective meeting-places—Mantua, Bologna, or Piacenza—even though two of them were within the boundaries of the Papal States. All of them protested their readiness to accept its decisions.<sup>1</sup> The Elector of Saxony, John Frederick, alone reserved his decision. He would only be in a position to give a definite answer after the convention of the League of Schmalkalden, which was fixed for the last days of June.<sup>2</sup> The League consulted the Wittenberg divines<sup>3</sup>; its answer eventually was what was to be expected in view of the theological principles on which it was based. The League roundly declined “a Council conducted according to the custom of the Church—*iuxta morem ecclesiae consuetum*”—because such an assembly would not be the “free Christian Council” they had been promised since there would be no guarantee that the controverted doctrines would be examined exclusively on the basis of Holy Writ. Moreover, the freedom of the assembly was already jeopardised by the fact that the princes had accepted its decisions in advance.<sup>4</sup>

<sup>1</sup> While Cardinal Albrecht of Mainz and his brother Joachim of Brandenburg expressly accepted not only any of the three localities proposed for the Council, but any place agreed upon by the two heads, Trier objected that the localities mentioned at previous Diets, viz. Metz, Cologne, Strasbourg and Mainz, could not be dropped without the agreement of the Estates. The Palatine Louis agreed for his own person but was of opinion that all the Estates of the Empire should be consulted.

<sup>2</sup> The *Articuli responsionis electoris Saxoniae* of 4 June in *C.T.*, VOL. IV, p. xcii f.

<sup>3</sup> Melancthon's opinion was “that they should be ready to attend” lest they put themselves in the wrong with other nations, but without engaging themselves to submit since the promise that the Council would be held according to ecclesiastical tradition was not unequivocal, *Corp. Ref.*, VOL. II, p. 655. Jakob Ziegler's attack on Rangoni's conditions in K. Schottenloher, *Jacob Ziegler aus Landau* (Münster 1910), pp. 296 ff. The South German theologians did not agree altogether with the attitude of the Saxons; cf. “A. Blaurer to M. Bucer on 19 July 1533”, in T. Schiess, *Briefwechsel der Brüder A. und Th. Blaurer*, VOL. I (Freiburg 1908), p. 406. Martin Bucer published at this time his *Fürbereytung zum Concilio* (Strasbourg 1533).

<sup>4</sup> “Responsum electoris Saxoniae et conjunctorum principum, comitum ac civitatum datum Caes. M<sup>ti</sup>s oratori et Romani Pontificis nuntio”, Schmalkalden, 30 June 1533, in *C.T.*, VOL. IV, pp. xcvi-c. Cochlaeus, who published the “Answer” together with other pieces in the following year (Dresden 1534, Spahn, *Cochlaeus*, bibliography No. 95) under the title of *De futuro concilio rite celebrando*, sarcastically observed in his preface that the *novus mos* according to which the Protestants wished to hold the Council would mean that the Pope was subject to the Emperor, that the cardinals and bishops were subordinate to the princes and the priests to the laity. The decisive significance of the principle of the Scriptures escaped him.

Thus for the first time the Protestants openly and formally refused "on principle" to recognise a Council proclaimed by the Pope. Up to this time they had joined the Catholics in the equivocal formula of a "free Christian Council". Now they parted company with them, unfolded before the papal envoy their own Lutheran conception of what a Council should be and rejected the Pope's offer of such a gathering. From this moment no more joint request for a Council was made by the German Estates.

However, the Protestants' rejection alone would not have prevented a Council had not France maintained her negative attitude. Ubaldini, the nuncio accredited to the Western powers, achieved even less than Rangoni. Francis I told him to begin by ascertaining Henry VIII's views. The latter sent him back to the French court. There he was finally told that the King would treat with the Pope personally at his forthcoming meeting with him. This meeting, for which Francis I had long been working, took place at Marseilles from 11 October to 12 November 1533.<sup>1</sup> The silence observed by both parties to the negotiations, which were exclusively conducted by word of mouth and without witnesses, wraps them in even greater mystery than the encounter of the Pope and the Emperor at Bologna. However, this much is certain, the question of a Council was discussed, but with the sole result that it was definitely shelved for the remaining years of Clement's pontificate.<sup>2</sup> According to information given by the Pope to Count Cifuentes, the imperial ambassador,<sup>3</sup> Francis I had declared that there could be no question of a Council because it could not possibly serve any useful purpose in the present state of tension between himself and the Emperor. It was a clear refusal which only thinly veiled the King's

<sup>1</sup> For what follows, see Pastor, VOL. IV, ii, pp. 477-82 (Eng. edn., VOL. X, p. 232).

<sup>2</sup> Antonio Soriano, the Venetian envoy who entered upon his duties immediately after the Pope's return from Marseilles, was in a position to base his judgment on what he learnt from the pontiff's most confidential advisers, viz. the Florentines Salviati, Pucci, Carnesecchi and Neri. He gave it as his opinion that Clement VII's journey to Marseilles had been chiefly inspired by his desire to rid himself of the incubus of the imperial demand for a Council, Albèri, *Relazioni*, VOL. II, iii, pp. 306 ff.

<sup>3</sup> Report of 14 October 1533 in *Cal. of St. Pap., Spain*, VOL. IV, ii, p. 825 f. This agrees with the Pope's letter of excuses to Ferdinand I and the circles of the Empire, 20 March 1534, Lämmer, *Mantissa*, p. 145; *C.T.*, VOL. IV, p. cvii. In the Pope's letter to the Emperor, 20 October 1533, published by Ehses, *Römische Dokumente zur Geschichte der Ehescheidung Heinrichs VIII von England* (Paderborn 1893), pp. 274 ff., the Council is not mentioned. Francis I's statements in his two letters of justification to the Estates of the Empire dated 1 and 25 February 1534 (publ. in *C.T.*, VOL. IV, pp. civ ff.) are tendentious and in part quite untrue.

aggressive designs on Milan.<sup>1</sup> We shall never know to what extent the Pope fell in with these designs, but that he had been gravitating towards France for some time appears from his renewed attempt to attract Giberti to Rome. The nomination at Marseilles of four French cardinals (at Bologna Charles V had with difficulty obtained the nomination of one) and the marriage on 28 October of Catherine de' Medici with Duke Henry of Orleans, at which the Pope himself officiated, filled the imperial diplomatists with profound distrust which even the soothing explanations of the Pope failed to dispel.<sup>2</sup>

Shortly before his departure from Marseilles the Pope was subjected to a painful humiliation. On 11 July 1533, after prolonged vacillation, he had declared Henry VIII's union with Anne Boleyn invalid. He had also fixed a time-limit—up to the end of September—within which Henry was to restore his lawful wife to her rightful position under pain of excommunication. On 7 November Dr Bonner, the King's agent, protested against the sentence in the presence of the Pope and, with the obvious purpose of intimidating him, appealed to a future Council. Since Pius II's prohibition no one had dared to do such a thing. When Bonner, as he read his document, came to the words *ad sacrosanctum concilium proxime jam futurum*, the Pope became exceedingly angry. How could it have been otherwise! Not many weeks before his nuncio had been unable to get an answer from Henry on the question of a Council, and now that same king appealed to a Council the convocation of which he had rendered impossible!<sup>3</sup>

The result of the encounter of Marseilles, the postponement of a Council to an indefinite date, finally crushed the faith of the two Habsburg courts and that of the German Catholics in the Pope's intention to call such a gathering. Weak as that faith had been for a long time, Clement's attempt to exonerate himself and to lay the blame on Francis I only made matters worse<sup>4</sup>. Duke George of Saxony

<sup>1</sup> The draft of a treaty of seven points in Francis I's own hand foreshadows an offensive alliance for the conquest of Milan for the benefit of the Duke of Orleans as well as the cession of Parma and Piacenza; text in R. Reumont-A. Baschet, *La Jeunesse de Catherine de Médicis* (Paris 1866), pp. 325 ff. Soriano too states that a delay of eighteen months before the outbreak of hostilities had been fixed, Albèri, *Relazioni*, VOL. II, iii, p. 309.

<sup>2</sup> *Cal. of St. Pap., Spain*, VOL. IV, ii, p. 846; so also, as against Soriano, Albèri, *Relazioni*, VOL. II, iii, p. 308.

<sup>3</sup> The chief source is Bonner's report of 13 November, *Cal. of Letters*, VOL. VI, pp. 566 ff.; also Cifuentes in *Cal. of St. Pap., Spain*, VOL. IV, ii, p. 852. The instructions of 1 November in P. Friedmann, *Anne Boleyn* (London 1884), p. 252 f.

<sup>4</sup> "La continentia dei brevi" (of 30 March), Vergerio wrote on 3 July 1534, "che io ho mandati in materia del concilio ha strannamente irritati tutti questi animi",

wrote bitterly: "While a hundred thousand souls perish, the appointed shepherd of souls makes common cause with our avowed enemy!"<sup>1</sup>

Dissatisfaction with the Pope's conciliar policy was general. The new nuncio at the court of Ferdinand I, Pier Paolo Vergerio, was faced with a difficult task. On top of everything, in the spring of 1534, Landgrave Philip of Hesse, an ally of France, by a swift, victorious campaign, conquered Württemberg for Duke Ulrich, hence for the new teaching. On the other hand when King Ferdinand appealed to the Pope for help his request was met with a cold refusal. This was too much even for a prince so sincerely devoted to the Pope, so much so that even he hinted at the possibility of a Popeless Council at which even France would not be able to protect him. In view of the conflict that he saw coming, Cardinal Cles withdrew from the court of Vienna.<sup>2</sup> But at this moment an unexpected event put an end to this most unpleasant chapter of the history of the Council. On 25 September 1534 Pope Clement VII died at the early age of fifty-six years.

*De concilio verba et de reformatione*: about a Council and reform, nothing but words! This is how so wise and right-minded a man as Seripando summed up this Pope's attitude to the two most pressing problems of the Church.<sup>3</sup> Only a few weeks before his death, in the consistory of 10 June 1534, the Pope had spoken of a Council, as he had so often done before,<sup>4</sup> though he never took one serious step to bring it about. Fear of a Council, it is true, was not the only obstacle. The conditions which the German Protestants laid down for such an assembly not only diminished the chances of a reunion which was still hoped for, they also inspired fears of grave complications. Even the question of the locality of the assembly was not easy to solve. Francis I's refusal to co-operate excluded the participation of one great nation, while England could not be counted upon at all. These were serious obstacles. In the circumstances the Pope should have regarded it as

*N.B.*, VOL. I, i, p. 269. The briefs had been preceded by detailed instructions of the private secretary Carnesecchi to Vergerio on 14 February (*ibid.*, pp. 176-83). These were bound to miss the mark in the matter of the Council, were it only by reason of the argument that the German princes had not responded to Rangoni's campaign for a Council. This was quite inaccurate. At a later period both Carnesecchi and Vergerio came in conflict with the Church.

<sup>1</sup> Extract from George's letter of 14 June 1534, in *N.B.*, VOL. I, p. 266, *n.1*.

<sup>2</sup> *N.B.*, VOL. I, i, pp. 274 f., 277.

<sup>3</sup> Jedin, *Seripando*, VOL. II, p. 52 (Eng. edn., p. 509).

<sup>4</sup> Extracts from the consistorial acts, *C.T.*, VOL. IV, p. cx.

his duty, for the sake of men's souls, to do his utmost to overcome them. He lacked the will to do so.<sup>1</sup>

"The Pope does not want a Council; he quietly allows the plans for one to slide", we read in a German pamphlet of the early twenties of the century.<sup>2</sup> Crotus Rubeanus and Ulrich von Hutten sarcastically observed in their tirades: "Three things Rome does not wish to hear of, a Council, reform of the clergy and that the Germans are having their eyes opened."<sup>3</sup> Were they altogether wrong? Towards the close of Clement VII's pontificate, a German satirical pamphlet summed up his conciliar policy.<sup>4</sup> The pamphlet was cast in the form of a Bull of Convocation: "Since the Pope, acting in concert with the cardinals and the bishops, refuses to convoke the Council which the Emperor and the faithful long for, the Holy Ghost Himself is compelled to do so. He charges the Archangel Gabriel to prepare for distribution duly authenticated copies of the Bull of Convocation."

So spoke the Pope's enemies, while his friends were in despair. The Prior of the Charterhouse of Cologne, Peter Blommeveen, took heart and in an open letter to the Pope spoke out what others only thought<sup>5</sup>: "The postponement of a Council has become a terrible scandal for the faithful! Many Catholics are of opinion that the Pope shrinks from a Council in order to save himself from reform. He is unwilling to renounce the worldly pomp with which the Papacy has surrounded itself and takes no steps against the lawlessness of the clergy. The loss of so many souls leaves him cold. There is only one means to end this dreadful scandal—let a Council come together!"

Blomeveen's ideas were shared by the convert Witzel<sup>6</sup> and by that

<sup>1</sup> Here I find myself in agreement with Ehses's views, *C.T.*, VOL. IV, p. cviii, and Pastor, VOL. IV, ii, p. 539 f. (Eng. edn., VOL. X, p. 385).

<sup>2</sup> Schade, *Satiren*, VOL. I, p. 37.

<sup>3</sup> Böcking, *Hutteni Opera*, VOL. IV, p. 262; also *Z.K.G.*, XIX (1899), p. 446.

<sup>4</sup> "Convocatio concilii liberi christiani", *L.W.*, VOL. XXXVIII, pp. 284-9, also published in German. Th. Kold shows that Luther is not the author, in his paper "Über die Echtheit des Luther zugeschriebenen Schriftchens 'Convocatio concilii liberi christiani'", in *Z.K.G.*, xv (1895), pp. 94 ff.

<sup>5</sup> Undated dedicatory letter for the *Opera minora* of Denis the Carthusian, Cologne 1532, reprinted in his *Opera omnia*, VOL. XXXIII, pp. 9-12; also J. Greven, *Die Kölner Kartause und die Anfänge der katholischen Reform in Deutschland* (Münster 1935), p. 82 f.

<sup>6</sup> Letter to the Archbishop of Mainz (1532) in Goldast, *Monarchia*, VOL. I, pp. 653 ff., in which reference is also made to *Frequens*. Christoph Scheurl wrote to the same prelate on 26 March 1533: "The Italians say little and think even less about the Council," Ch. Scheurl, *Briefbuch*, VOL. II, p. 138.

old warrior, Eck.<sup>1</sup> A new national conciliar theory was in the making. Ortwin Gratius recalled the decree *Frequens* and declared that "if the reform decrees of Basle had been carried out there would be no Lutheranism".<sup>2</sup> Before all else the *gravamina* must be redressed. A future Council would decide the question of the superiority. By means of a collection of a number of documents coloured by the conciliar theory Gratius meant to pave the way for a Council.

This is how people thought and wrote in Germany where the consequences of the delay in calling such an assembly were plain for all to see. In Spain too, the great Francisco de Vitoria sadly noted that "ever since the Popes began to fear a Council, the Church has been without one and will remain without one, to the detriment and utter ruin of religion".<sup>3</sup>

This was the most disastrous of all the consequences of the delay in summoning a Council. To the obstacles which a Council encountered from various quarters, a fresh one came to be added: the world no longer believed that it would ever take place. The world had become sceptical and resigned. When the new Pope actually convoked a Council his summons evoked but a faint response.

<sup>1</sup> On 10 May 1535 Eck wrote to Paul III: "Alii enim pontifices, praedecessores Sanctitatis Tuae, saepe promiserunt concilii congregationem iam 20 lustris, sed ita profecto promiserunt ut facile omnes intelligerent eos nunquam concilium celebraturos; sic nuncios mittebant cum mandatis et articulis oneratos cum multis verborum involucris, punctis disputabilibus ac conditionibus intricatis, ut patenter procrastinationem negotii quaerere ac iam magnificae promissiones concilii apud Germanos in ludibrium abierint," *Z.K.G.*, XIX (1899), p. 220. Although Eck is speaking of the Popes of the last hundred years his description hits immediately Paul III's predecessor, Clement VII, whose conciliar policy could not have been more graphically pictured.

<sup>2</sup> "Si concilii illius pretracti decreta in hunc usque diem servata fuissent nunquam tam periculosus errorum fluctibus per universum immersi fuisset," *Fasciculus rerum expetendarum ac fugiendarum* (Cologne 1535), fol. xxxiv f., with the other prefaces and the appendix, fol. ccxxxvi"-ccxlii". For our purpose it is of small consequence that H. Cremans, *Annalen des historischen Vereins für den Niederrhein*, XXIII (1871), pp. 192-224, has brought forward some weighty objections to Gratius being the author. But I do not think that the author was a Protestant; the conciliarist character of the work was enough for it to be put on the Index (Reusch, *Index*, VOL. I, p. 247).

<sup>3</sup> *Relectio IV*, prop. 20: "Ab eo tempore quo propter novas opiniones doctorum pontifices inceperunt timere concilia, ecclesia manet sine conciliis et manebit cum magna calamitate et perniciem religionis," *Relectiones theologicae XII* (Lyons 1587), p. 160.



## Paul III and the Convocation of a Council at Mantua

ON 13 October 1534 Cardinal Alessandro Farnese issued from an unusually short conclave of only two days as Pope Paul III. His election meant a complete break with Clement VII's ecclesiastical and conciliar policy.

Although he had been a cardinal since 1493 and Dean of the Sacred College since 1524 Farnese had kept aloof from the disastrous policy of the last of the Medici Popes and had carefully avoided all legatine functions. During the vacancy of the Apostolic See he observed repeatedly that he regarded a Council as absolutely necessary.<sup>1</sup> That was why the two German cardinals, Lang and Cles, gave him their votes. Shortly after his election, in the consistories of 17 October and 13 November, he announced his intention to convoke a Council. There can be no longer any doubt that he was in earnest when he made that announcement.<sup>2</sup>

This true Roman on the Papal throne,<sup>3</sup> whose robust vigour belied

<sup>1</sup> The statement in the Bull of Convocation, "Cum in minoribus essemus a nobis maxime desideratum", *C.T.*, VOL. IV, p. 3, and in the instructions of 27 April 1536, which take the French cardinals to witness, *C.T.*, VOL. IV, p. 109, is supported by Soriano, Albèri, *Relazioni*, VOL. II, III, p. 313, by Aleander's notes of the year 1533, *C.T.*, VOL. IV, pp. lxxxii and lxxxvii, and by Cardinal Loaysa, *Coll. doc. inéd.*, VOL. XIV, p. 106. According to a report of the imperial ambassador Cifuentes, the Pope told him soon after his election: "I was the first in the conclave to stress the need of a Council," *Cal. of St. Pap., Spain*, VOL. V, I, p. 287 (No. 100).

<sup>2</sup> Soriano's observation, which however dates from the year 1535 (Albèri, *Relazioni*, VOL. II, III, p. 314): "Sebbene divulga di volere il Concilio e di non lo temere, pure le fuggierà volentieri, ne sarà mai per procurarlo effettivamente", is refuted by Ehses's and Pastor's documentation. For the necessary qualifications see the conclusion of the next chapter.

<sup>3</sup> Since the publication of Pastor's *History of the Popes*, VOL. V (1909) (Eng. edn., VOLS. XI and XII), the literature on Paul III has been enriched by C. Capasso's *Paolo III*, in which the writer elaborates his previous study, *La politica di Paolo III e l'Italia* (Camerino 1901), on the basis of considerable material from Italian sources. However, the value of the work is lessened by reason of the author's deep aversion for Charles V and the Gonzagas and his consequent defence of Paul III in every respect. Thus Capasso deems it "meschino" to blame the Pope's nepotism (VOL. II, p. 722). L. Dorez, *La Cour du Pape Paul III*, 2 Vols. (Paris 1932), appraises the account-books chiefly from the angle of culture and the arts. The biography by J. Edwards, *Paul III oder die geistliche Gegenreformation* (Leipzig 1933), is rich in brilliant *aperçus*. The author sees Paul III as the restorer of Roman Republican thought and Roman

his age—he was sixty-seven—and who laughed at the customary expectation of a new conclave at an early date,<sup>1</sup> was nevertheless at heart a child of the Renaissance. To its corruption he owed his cardinalate and to it he also had paid tribute in his early life. However, he was shrewd enough to perceive that Clement VII's policy of avoiding a Council at any price was leading to chaos and that his predecessor's unprincipled scheming for political combinations, dictated by purely opportunist considerations, had destroyed all trust in the diplomacy of the Curia. He was strongly convinced that the real strength of papal policy lay in a proper regard for the Church's own point of view and that a genuine renewal based on this principle was the only way to restore the prestige of the Holy See. Above all he was fully conscious that the nations' cry for serious ecclesiastical reform must be met at least to some extent and that after a century of talk the world must be shown positive deeds.

Paul III was a man of outstanding intelligence. He appreciated the situation aright, though it is unlikely that he had a clear idea of what should be done or to what extent current values needed to be adjusted. He imagined that it would suffice to jettison ballast, without further painful sacrifices. When these were nevertheless demanded of him he shrank back. The most grievous charge against his pontificate is his family policy, which was not limited to the enrichment of his children and grandchildren. What he aimed at was that they should marry into the great dynasties and thereby secure for the house of Farnese a strong position among the princely houses of Italy. In this he was successful, but at a heavy cost—none other than that he lives in the history of the Church merely as a far-sighted pontiff who prepared the way for the

skill in the art of government and as the man who put an end to the political character of the Renaissance Papacy. Although there is a grain of truth in both ideas, the book teems with errors; cf. my appreciation in *H. J.*, LIV (1934), pp. 259-62. W. Friedensburg's *Kaiser Karl V und Papst Paul III* (Leipzig 1932), written in his old age, gives us the final result of the author's study of the reports of the German nunciatures, but it does so very summarily and not without confessional bias. For the present state of the question, cf. e.g. F. X. Seppelt, *Geschichte des Papsttums*, VOL. V (Leipzig 1936), pp. 7-55, 503 f. For an appreciation of the Pope's high politics the following three studies of L. Cardauns remain indispensable: "Paul III, Karl V und Franz I in den Jahren 1535-36, in *Q.F.*, XI (1908), pp. 147-244, with the appendices in *Q.F.*, XII (1909), pp. 189-211, 321-67; *Zur Geschichte der kirchlichen Unions- und Reformsbestrebungen 1538-42* (Rome 1910) and *Von Nizza bis Crépy* (Rome 1923).

<sup>1</sup> In January 1535 Vergerio found the Pope looking well and full of life; he accordingly prophesied for him a long reign, all the more so as he took care of himself, granted but few audiences and frequently went out into the country. On the other hand the pontiff cherished exceedingly ambitious plans which it was to be feared he would not live to carry into effect, *N.B.*, VOL. I, i, p. 324 f.

Catholic reform but not as the man whose energy steered and executed it.

When the Augustinian Seripando came to pay his respects to him at the beginning of 1535 the Pope told him that his pontificate would be devoted to a threefold task, viz. a plan for a general pacification, a General Council and war against the infidels.<sup>1</sup> These three aims were closely connected. A general Council was impossible if the tension between the two rival powers, which had increased since the meeting at Marseilles, were to lead to a new war. It was equally impossible to mount a powerful offensive against the Turks, who were advancing simultaneously in Hungary and in the Mediterranean, as long as there existed an understanding between Francis I and the Grand Turk. If the Pope was really bent on a Council he must do his utmost for a settlement of the differences between Charles V and Francis I, and to this end it was essential that he should remain neutral.

It has been objected that Paul III's neutrality actually favoured France and that it was dictated by a deep, secret dislike of the Emperor.<sup>2</sup> True though it is that Charles V's power appeared to the Pope as something ominous and awe-inspiring, and that his own ambitious plans for the exaltation of the house of Farnese exasperated the Emperor, it would be a perversion of the facts to assign the Farnese Pope's undoubted personal dislike of the Emperor, which developed only at a later period, to the first period of his pontificate. It is a fact that the Pope feared the predominance of the Emperor and regarded France as a natural counterweight which he was unwilling to forgo, even though Francis I's connexions with his own and the Emperor's opponents, the Turks and the Protestants, made it extremely difficult for him to remain neutral. It is unprofitable to try to picture how much he might have accomplished in conjunction with the Emperor. The cost would have been too high: possibly an alliance between France, schismatic England and the League of Schmalkalden, perhaps even a Gallican schism.

In the spring of 1535 the Pope threw himself with youthful energy into the task of translating ideals into actuality. In view of the fact that he always conducted his policy in person or, as we would say today, he was his own "Secretary of State",<sup>3</sup> he felt the need of exhaustive

<sup>1</sup> *C.T.*, VOL. II, p. 402, line 15 ff.

<sup>2</sup> Cardauns, "Paul III", p. 140. Cardauns's view receives support from the circumstance that in his conversations with the nuncio Carpi, Francis I never failed to comment favourably on the Pope's policy of neutrality.

<sup>3</sup> Alessandro Farnese, who became Secretary of State after the fall of Ricalcati, was too young at the time to pursue a personal policy. Only in the last years of the

information on the central problem—Germany.<sup>1</sup> He accordingly summoned the nuncio at the court of King Ferdinand, Pier Paolo Vergerio, to Rome, to report; and in the quiet of the Roman Campagna, at the hunting lodge of Magliana on the way to Ostia, the two men discussed the situation of the Church in Germany. It was a truly alarming one.<sup>2</sup>

The whole of Germany, not only the Protestant part, was exasperated at the delay in summoning a Council and laid the blame for it on the Curia: no one believed any longer in its good faith in this respect. Protestantism was making rapid progress; one principality after another, one city after another, succumbed to it. Vergerio gave it as his opinion that if a Council were not summoned at once a German national Council would be unavoidable and it would be almost impossible to prevent the apostasy of the whole nation. On 18 December 1534 the nuncio had written<sup>3</sup> that it was not enough to discuss a Council in Rome; it was here, on the spot, that people must be able to see with their own eyes that the Pope was actually doing something about it. What was to be done? "Nothing at all!" was the answer of those who stood for the traditional policy. One of the cardinals to whom Vergerio explained the awful gravity of the situation laid all the blame on the princes' shoulders. "At the proper time", he said, "they did nothing to stem the flood: now they get what they want." To the nuncio's question: "And the loss of souls, is it nothing to you?" the answer was: "Everything must first collapse, then will reform come about".<sup>4</sup> With a catastrophic policy such as this Paul III would have nothing to do, but he had to reckon with the fact that a powerful opposition<sup>5</sup> to a Council in the College of Cardinals and in the Curia was doing its utmost to delay it indefinitely. As in Clement VII's days, the opposition favoured a convention of princes. Paul III was convinced that this would lead nowhere, hence as early as the first days of January he informed the imperial ambassador Cifuentes of his intention to obtain,

pontificate did he conduct an independent family policy. At the Congress of Nice the Venetians observed with surprise that the Pope conducted all the negotiations alone, without taking counsel even with the most trusted of the cardinals, Albèri, *Relazioni*, VOL. I, II, p. 84.

<sup>1</sup> On 27 January Vergerio wrote: "Visa est mihi S.Stas valde parum informata in quo statu sint res Germaniae et Hungariae," *N.B.*, VOL. I, I, p. 326.

<sup>2</sup> Cf. Vergerio's reports of November 1534, *N.B.*, VOL. I, I, pp. 313, 315.

<sup>3</sup> Vergerio on 18 December 1534, *N.B.*, VOL. I, I, p. 321 f.

<sup>4</sup> Vergerio on 27 January 1535, *N.B.*, VOL. I, I, p. 327.

<sup>5</sup> Sánchez, Ferdinand I's agent in Rome, on 20 January 1535: "Totum collegium cardinalium renititur," Pastor, VOL. V, p. 820 (Eng. edn., VOL. XI, p. 560).

through nuncios, the assent of the principal powers, above all that of France.<sup>1</sup> A month later the nuncios were despatched: Vergerio to Germany, Carpi to France, Guidiccioni to the Emperor, then in Spain. In accordance with a decision of the consistory of 15 January they were to inform the three courts of the Pope's firm resolve to convoke a Council and to ask their opinion about the locality where it should be held.<sup>2</sup> The first suggestion was Mantua, out of consideration for the Germans; then Turin, as a concession to the French, and finally two towns in the Papal States, the acceptance of which would have met the wishes of the Pope himself, namely Piacenza and Bologna.

One is tempted to ask whether it would not have been better to summon a Council without further delay to some frontier town, for instance Mantua, and to provide the nuncios with authentic copies of the Bull of Convocation. No doubt objections would have been raised in France and Germany, but they would have been neutralised by the advantages accruing from the fact that the sceptics would have had tangible proof that the Pope was in earnest about a Council. Paul III's policy of compromise was a concession to the opposition and left the road open for negotiations, but at the cost of much time.

The most difficult task of all, the proclamation of the Council in Germany, was allotted to Vergerio. The Habsburg diplomatists in Rome had strained every nerve in an effort to overcome the opposition to his return to Germany.<sup>3</sup> In point of fact this undoubtedly gifted man lacked the balanced character and sure judgment which were indispensable for an office such as his, and at a later date he was to justify his opponents when he, a Catholic bishop, but a disappointed and embittered man, apostatised from the Church.<sup>4</sup> But at this time his

<sup>1</sup> Cifuentes to the Emperor, 9 January 1535, Spanish text in E. Ferrandis-Bordonau *El Concilio de Trento*, VOL. I, pp. 20 ff.; English transl. in *Cal. of St. Pap., Spain*, VOL. V, I, pp. 372 ff. (No. 125).

<sup>2</sup> Up to this day these instructions have not been brought to light. On the question of the locality, cf. Vergerio's notes on his audience with Ferdinand I, *N.B.*, VOL. I, I, p. 342. Soriano mentions Mantua, Trent and Verona; the last-mentioned city was eventually dropped, Albèri, *Relazioni*, VOL. II, III, p. 316.

<sup>3</sup> Sánchez to Cles, 12 and 24 February 1535, St. Arch., Trent, Cles, Mazzo 10.

<sup>4</sup> To the literature enumerated by me in *L.Th.K.*, VOL. X, p. 559, must be added P. Paschini, *Pier Paolo Vergerio il Giovane e la sua apostasia* (Rome 1925). The reports of the nunciatures contain rich material for a character-study of Vergerio. He draws attention to his labours and services on every possible occasion (e.g. VOL. I, I, pp. 509, 518); he even goes so far as to hand to Nausea the draft of a letter of appreciation of his services which the latter was to send to Rome (*ibid.*, p. 511). There can be no doubt that he hoped for promotion with the help of Ferdinand, who dropped him when Sánchez informed him of his intrigues in Rome.

positive qualities alone mattered. Soon after his arrival in Vienna towards the end of March 1535 he threw himself with burning zeal into the work of proclaiming the Council.

The monarch to whom he was accredited, Ferdinand I, King-elect of the Romans since 1530, was the person who created the fewest difficulties for him. It was only very gradually that the younger of the two Habsburg brothers assumed a certain independence of the Emperor, for whom he cherished the profoundest reverence.<sup>1</sup> As a result of the maladministration of the Habsburg patrimony his own power was not great and there was no end to his financial straits. The Venetian Giustiniani estimated his available revenues at no more than 30,000 gulden. Half of his time was spent in going from place to place for the purpose of soliciting money grants from the Estates of his Austrian and Bohemian lands; not only for the war against John Zapolya who contested his possession of Hungary, but against the latter's abettor, the Grand Turk. He had been brought up in Spain and was much more like a Spaniard than his brother. He fulfilled his religious duties most conscientiously; his marriage with Anne of Hungary had been blessed with many children; in fact, his married life could be described as exemplary and his devotion to the Papacy could hardly be surpassed. Homely and affable in his bearing, he loved to invite foreign envoys to his table and to the chase, to which he was passionately addicted. But it did not escape so acute an observer as Morone that although he worked hard as a ruler he was exceedingly slow and dependent on his counsellors, the shrewdest of whom, Johann Hoffmann, was regarded as an avowed Lutheran. The real prop of Catholicism at the court was Ferdinand's leading minister, Cardinal Cles. It was a cause of profound grief for the King that he was unable to stem the movement of secession in his hereditary lands and in the city of Vienna. And it was an even greater sorrow for him that Clement VII could look at the desperate fight of the German Catholics yet do practically nothing to assist them, so much so indeed that the Pope was even suspected of being in some

<sup>1</sup> F. B. Bucholtz's work, *Ferdinand I*, full of rich material but untidy, can only be replaced by a modern biography when the Vienna edition of the letters (2 Vols. up to now) is more advanced. For a character-study of Ferdinand I, I draw on Vergerio's reports (*N.B.*, VOL. I, i, pp. 85 f., 102, 186, 314 and *passim*), and on those of Morone (*N.B.*, VOL. I, ii, pp. 123 f., 181 ff.), as well as on the relations of the Venetians which enable us to follow clearly the growth of Ferdinand's political ability, viz., those of Carlo Contarini (1527), fragmentarily published by Fiedler, *Relationen venetianer Botschafter über Deutschland und Österreich im XVI. Jahrhundert* (Vienna 1870), pp. 1-4; those of Marino Giustiniani (1541), in Albèri, *Relazioni*, VOL. I, ii, pp. 120 ff.; and those of Lorenzo Contarini (1548), Albèri, *Relazioni*, VOL. I, i, pp. 448 ff.

way connected with the Protestant *coup de main* against Württemberg. His relations with Paul III were troubled by the fact that the Pope favoured John Zapolya

Ferdinand was easily won over for the projected Council. No one was more convinced than he of the need for such a gathering. No one had pleaded for its early convocation with greater earnestness. For a locality he would have preferred Trent, which was also Cardinal Cles's choice, but he declared himself personally satisfied with Mantua. For the purpose of enabling him to counter the expected opposition of the Protestant Estates he judged it indispensable to obtain the Emperor's approval for this border-city before approaching the Protestants. While awaiting an answer from Spain, Vergerio decided to visit the Catholic Estates of the Bavarian, Swabian and Franconian circles. Accompanied by a numerous suite—he was escorted by fourteen mounted men—he set out on his errand about mid-April.<sup>1</sup>

His first impressions were favourable on the whole. Cardinal Lang of Salzburg did not betray his deep-seated scepticism of the papal announcement of the Council.<sup>2</sup> Before committing himself further he wished to have the Emperor's view about the place of assembly. The Wittelsbachs were much more forthcoming. On 30 April Duke William of Bavaria declared his own and his brother Louis' readiness to attend a Council not only at Mantua but in Rome itself. At the same time he put the nuncio on his guard against a convention of princes on the ground that it might easily degenerate into a national council. On hearing the announcement of the Council the Bishop of Freising, Count Palatine Philip, exclaimed, "Now I can die in peace!" The Bishop of Eichstätt, Gabriel von Eyb, pledged himself, in spite of his advanced age, to appear in person wherever the Council might be held. The Administrator of Ratisbon, also a Palatine Wittelsbach, alone hesitated and declared that he would wait for the decision of the Bavarian Diet. Vergerio was profoundly impressed by what he experienced at Ratisbon. That imperial city had gone almost wholly Lutheran and only a score of people attended the Sunday services at the cathedral. But when the nuncio announced the Council to the

<sup>1</sup> What follows is based on Vergerio's despatches, *N.B.*, VOL. I, i, pp. 362-555, with the written answers published by Ehses, *C.T.*, VOL. IV, pp. cxii ff. Pastor treats it very fully, VOL. V, pp. 39-51 (Eng. edn., VOL. XI, pp. 49).

<sup>2</sup> Sánchez saw the archbishop's letter in which he said: "He talks a great deal about the Pope's determination to call a Council but there is no sign of a concrete step towards its realisation," Sánchez to Cles, 1 July 1536, St. Arch., Trent, Cles, Mazzo 10.

senators they raised their hands to heaven, praising God and the Pope. The same spectacle was repeated at Augsburg, where the new teaching, in its Zwinglian mould, had been but recently introduced. Vergerio saw himself in the role of a herald of glad tidings. "The all-important thing is", he reported to Rome and Vienna, "that when I announce the Council I have not to begin by producing a sheet of paper, with sundry conditions as was the case under Clement VII, but am in a position to make the straightforward announcement—'The Pope is resolved to hold a Council'."

Vergerio's first doubts about the success of his mission arose at Dillingen. The aged and experienced Bishop Stadion of Augsburg, who in his capacity of lieutenant of the largely Protestant Swabian circle was well acquainted with the sentiments of the adherents of the new faith, personally regarded either Mantua or Trent as suitable localities for the Council but deprecated the choice of a German town lest the excited masses should endanger the freedom of the assembly. On the other hand he thought it would hardly be possible to get the Protestants to attend the Council unless the secular princes were admitted. He advocated several possible concessions to the former, such as Communion in both kinds, suppression of the law of fasting and a declaration that certain "human" traditions were optional.

Another and most unpleasant surprise awaited Vergerio on his return to Munich. By the terms of the original agreement with Duke William, the Diet of the Bavarian circle should have accepted Vergerio's announcement of the Council as a body. Instead of this Vergerio was told by the Bavarian Chancellor Leonhard Eck that his policy of negotiating about the Council with each Estate separately was a mistake. The right thing would have been to present them with a *fait accompli*, that is with an announcement that the Pope, in agreement with the Emperor, was about to convoke a Council at Mantua. Not only the League of Schmalkalden, but many princes still regarded as Catholic at heart but already won over to the new doctrine—among whom Eck was not ashamed to count George of Saxony—would refuse to attend a Council in Italy, no matter where. A refusal on their part would tie the hands of Pope and Emperor. Leonhard Eck evidently stood for a policy of the strong hand and the *fait accompli*. Actually there was a good deal to be said for such a policy. On the other hand there was little mystery about the motive that prompted the old intriguer. His sole object was to create difficulties for the bitterly hated Emperor; in any other circumstances Leonhard Eck would have been the very first



to protest against a policy which he would have decried as an interference with the princes' liberty. However, Duke William adopted the view of his chancellor; the Diet of the Bavarian circle did not take place. On 6 June 1535 Vergerio was back at Vienna, where in the meantime a reply had been received from Spain, but one which did not advance affairs by a single step. For fear of finding himself at variance with earlier decisions of the Diet and thereby giving free play to French intrigues, the Emperor declined to give a firm answer with regard to Mantua and contented himself with a declaration that he would approve of any place accepted by the Estates of the Empire. The nuncio was now faced with the problem whether to leave the decision to the latter. His refusal to do so was right, otherwise the whole conciliar enterprise would have been compromised. There was very little doubt that the League of Schmalkalden would decline Mantua and in its place propose a Diet from which, in view of the anti-papal feeling in Germany, little good was to be expected. If the Pope really wished the Council to materialise he must not on any account take this path. He should instruct the nuncio to inform the Estates that "the Pope and the Emperor are agreed that the Council must be held at Mantua". However, an announcement in these terms had been made impossible by the message which had come from Barcelona.

King Ferdinand also realised this difficulty but took good care not to cross his brother's plans by a definite pronouncement in favour of Mantua. In the end he agreed with the nuncio on a tortuous declaration, basically non-committal, to the effect that the Emperor and the King would not resist the Pope's will. Vergerio had to forgo an imperial escort, such as had been assigned to the nuncio Rangoni in the days of Clement VII. Nevertheless on 19 July he set out once more for Germany, encouraged by the Pope's recognition of his untiring exertions on behalf of the Council. King Ferdinand had also ended by accepting the following formula which, like the first, committed him to nothing: "I am convinced that the Emperor will accept Mantua." Once again Vergerio appealed first to the Catholic princes in the hope of obtaining a satisfactory declaration by the Emperor before he tackled the confederation of Schmalkalden.

The Lutheran Margrave George of Brandenburg received Vergerio at Ansbach with a friendliness that surprised the nuncio. That adroit and cunning prince claimed that the religious innovations introduced by him were only provisional and that he would submit to the decision of a future Council. He was unwilling to agree unconditionally to

Mantua because he did not wish to find himself at variance with earlier decisions of the Diet, though personally he had no objection to that city. The Protestant council of Nuremberg replied that it would obey the Emperor's will in all things.

All the bishops of the Rhine and Main district gave their assent. Weigand von Redwitz, Bishop of Bamberg, concurred with whatever the Pope and the Emperor might arrange between them,<sup>1</sup> but Konrad von Thüngen, Bishop of Würzburg, instructed his chancellor, Konrad Braun, to inform the nuncio that he thought it would be dangerous formally to accept a locality outside Germany since this would be against the decisions of the Diet. However, for his own person, he was prepared to fall in with the Pope's arrangements. The Bishop of Liège, Cardinal Erhard von der Mark, viewed the Council with a good deal of anxiety but judged it absolutely necessary and Mantua seemed a suitable place. Even the Archbishop of Cologne, Hermann von Wied, whose leanings towards Protestantism were no secret even at this time, returned an affirmative answer though couched in general terms. When Vergerio met him at Paderborn on 22 October, Cardinal Albrecht of Mainz gave a similar reply.

Only two secular princes took up a negative attitude, namely the Elector Palatine Louis and Duke John of Cleves. The former declined to receive the nuncio. Through his councillors he informed Vergerio in brusque terms that without a corresponding decision by a new Diet he could not accept Mantua or any other town in Italy as a suitable locality for a Council. Though couched in more courteous terms, the answer of the Duke of Cleves, who was perceptibly under French influence, amounted to the same thing. He would make up his mind when the other Estates had made known their decision. The answer of Joachim II, who had but recently succeeded his father as Elector of Brandenburg, was less favourable than might have been expected. He agreed to Mantua provided Charles and Ferdinand approved of it. Joachim's inclination towards Protestantism was well known. For his sake alone there was need of the utmost speed, so Duke George of Saxony told the nuncio, otherwise he would succumb to the influence of his Lutheran mother. Duke George recalled with satisfaction that he himself had mentioned Mantua as a suitable locality for a Council as early as the year 1532.

<sup>1</sup> During Vergerio's stay at Bamberg the convert Johann Haner handed in his "Votum de concilio", *C.T.*, VOL. XII, pp. 85-108, in which he spoke of the speedy convocation of a Council as an inescapable necessity.

The most difficult part of Vergerio's task still remained to be done, viz. the announcement of the Council to the confederates of Schmalkalden. One of the two heads of the League, the Landgrave Philip of Hesse, he had already met at Vienna in April. He had found him relatively well disposed though he raised objections to Mantua.<sup>1</sup> In order to visit the other head of the League, the Elector John Frederick of Saxony, in his own residence, Vergerio ventured to journey to Wittenberg in the month of November. While there, on 13 November, he had the memorable interview with Luther in the course of which the latter was reported to have declared himself ready to defend his teaching at a Council held either at Mantua or at Verona.<sup>2</sup> The Elector himself Vergerio did not see at Wittenberg; he only met him on his return to Prague. He introduced himself as the herald of a new Roman policy. Unlike his predecessor, Pope Paul III did not attach any conditions to his convocation of a Council. If the Elector nevertheless persisted in his refusal it would be seen that he did not want a Council at all, though a Council would take place all the same, and at Mantua. As was to be expected, the Elector appealed to the earlier resolutions of the Diet and insisted on positive written guarantees for the safety of the Protestant participants in the Council. But a final reply to the announcement of the Council could only be given by the forthcoming assembly of the League at Schmalkalden.<sup>3</sup> At the Elector's request, on 1 December, Vergerio drew up a memorandum for submission to that assembly.<sup>4</sup> He recalled the Prague discussions and pointed out that on account of its geographical situation between imperial Milan and neutral Venice, Mantua, as a fief of the Empire, would offer adequate security to the Protestants; moreover, both the Pope and the Emperor would give every requisite guarantee.

The Prague conversations had been courteously conducted. The Elector and the nuncio shook hands on parting. At their Diet the confederates of Schmalkalden put personal considerations on one side.

<sup>1</sup> *N.B.*, VOL. I, i, pp. 344 ff.

<sup>2</sup> Vergerio's account of his meeting with Luther, in *N.B.*, VOL. I, i, pp. 539-47, where the earlier editions by Lämmer and Cantù are noted. In his audience with the Elector John Frederick, Vergerio was silent about Luther's willingness to appear in person at the Council and only put the following declaration in the latter's mouth: "Ego existimo concilium generale, liberum, christianum quale Pontifex pollicetur omnibus modis utile ac necessarium fore," *Corp. Ref.*, VOL. III, p. 987.

<sup>3</sup> Spalatin's written record—he probably acted as interpreter—in *Corp. Ref.*, VOL. II, pp. 982-9, is only briefly alluded to in Vergerio's despatch of 9 December, *N.B.*, VOL. I, i, pp. 553 ff. G. Mentz, *Johann Friedrich der Grossmütige*, VOL. II (Jena 1908), pp. 72 ff.

<sup>4</sup> *Corp. Ref.*, VOL. II, pp. 991-5 (No. 1367).

In their reply to the invitation to the Council, a document drawn up by Melanchthon,<sup>1</sup> they took their stand on the Nuremberg formula—as if nothing had happened in the meantime—and declared themselves most willing to participate in “a free, Christian council in German lands”. Mantua as a place of assembly was contrary to earlier resolutions of the Diet; there was no guarantee either for the safety of the participants or for the freedom of the decisions so long as the Pope refused to submit from the start to the superior authority of the universal Church as represented by a Council and declined to admit the representatives of the secular authorities. In plain language this amounted to a demand that the Pope should be simply one of the parties at the Council and surrender his supremacy. The Pope’s generous and wise abandonment of Clement VII’s conditions was described as a ruse. Surely the accusation of impudence, which they threw in the face of the defenders of papal supremacy, recoiled upon themselves.

When this answer of the Schmalkaldic League reached Vergerio he was no longer in Germany. Passing through Rome he had journeyed to Naples in order to report personally to the Emperor on the state of the negotiations. That they had not been universally successful was in no small measure due to Charles’s refusal to declare himself explicitly in favour of Mantua.

The nuncio had done all he could in the circumstances. In some instances the intimation of the Council had met with a brusque rejection; by many it had been accepted with some scepticism; and by a relatively small number with complete confidence and cheerful willingness. The nuncio was appalled as he realised how grievously Clement VII’s conciliar policy had injured people’s confidence in the Papacy.<sup>2</sup> However, all was not lost. If by prompt action the Germans could be convinced that the Pope was in earnest in his resolve to hold a Council, the participation of a great number of prelates, theologians and envoys from that country could be counted upon. The Schmalkaldic League still constituted only a relatively small minority. The majority of the German princes could be saved for the Church provided an end was put to the dangerous state of uncertainty. That this consummation was not reached was due to the Western powers’ attitude to a Council.

<sup>1</sup> *C.T.*, vol. iv, pp. cxvi-cxix (21 December 1535); also *Corp. Ref.*, vol. II, pp. 1018-22 (No. 1379). The men of Schmalkalden’s addition of the word “pio” to the Nuremberg formula adds nothing new to its significance.

<sup>2</sup> Numerous proofs in Vergerio’s reports, *N.B.*, vol. I, i, pp. 350, 355, 365 f., 375 f., 383, 387, 413 f.

Besides the announcement of the Council three further tasks had been assigned to Rodolfo Pio of Carpi,<sup>1</sup> who had been despatched to France as papal nuncio; namely to work against the English, to defend the Pope's policy of neutrality and, if possible, to obtain France's help, or at least her neutrality, for the Pope's joint action with the Emperor against the pirate Chaireddin Barbarossa. As the son of a minor prince whom the Emperor had ousted from his domain, Carpi was treated by Francis I with the utmost friendliness, not to say familiarity. After a very few days Carpi became aware of the French court's exceedingly hostile sentiments towards the Emperor. On 22 February 1535, four days after his first audience, he wrote: "The King's hatred has grown to such an extent that he makes it his business to provoke the Emperor."<sup>2</sup> Help for the expedition against Barbarossa was not to be thought of. Actually Francis openly treated with the corsair and Carpi had reason to congratulate himself that the assistance clandestinely given had not become open co-operation. The news of the Emperor's swift victory at Tunis and his safe crossing to Italy, which arrived early in August, came as a very disagreeable piece of news for the French court.<sup>3</sup> Montmorency, who was for a compromise with the Emperor, was out of favour with his king, while the Anglophile Grand-Admiral, the Cardinal of Lorraine and the two brothers du Bellay—all of them bitter enemies of Charles V—had the monarch's ear. The financial preparations for a new campaign for Milan were in full swing when Duke Francesco Sforza died on 1 November 1535. The King immediately issued orders for all military measures to be taken in view of imminent war. In February 1536 French troops invaded Savoy in order to secure it as a base for their advance on Milan. Thus war had become as good as inevitable. The Pope's efforts for peace succeeded in delaying it: they failed to prevent it.

Thus it came about that the announcement of the Council met with the same obstacles in France as in the days of Clement VII, except that

<sup>1</sup> The extracts published by Ehses are inadequate for a just appreciation of France's conciliar policy. I have therefore gone through Carpi's reports in the Vatican Archives, AA I-XVIII 6528 and 6529 (originals) and *Lettere di principi*, 10, and *Nunziatura di Francia* (copies). There is no recent study of Carpi, the nephew of the well-known humanist Alberto Pio, so that I must refer the reader to Pompeo Litta, *Famiglie celebri italiane*, 10 Vols. (Milan 1819-74), vol. v, p. 580; Ciaconius, *Vitae et res gestae*, vol. III, pp. 619-22. At a later date he joined the imperial party (d. 1564).

<sup>2</sup> Vat. Arch., AA I-XVIII 6528, fol. 100<sup>r</sup>, official decoding; on 23 May Carpi writes, "Whatever the Emperor calls white is called black here," *ibid.*, fol. 173<sup>v</sup>.

<sup>3</sup> Vat. Arch., *Lettere di principi*, 10, fol. 270<sup>r</sup> (7 August 1535).

the memory of the insincerity of the papal diplomacy of that period rendered people still more intractable. Carpi did his best to convince the French statesmen that times had changed; that the present Pope had abandoned the methods formerly in vogue and was sincere in his desire for a Council.<sup>1</sup> The reaction was all the stronger as Francis I viewed the Pope's plan for a Council first and foremost as an attempt on the part of the Emperor to master the Protestants' opposition in Germany by ecclesiastical means and to revenge himself on Henry VIII for his dismissal of Catherine. In his opinion the whole thing was but another milestone on his powerful opponent's road to universal monarchy. He intimated his readiness to accept the Council on condition that it was truly universal and was held at a place where its freedom was guaranteed, for instance at Turin.<sup>2</sup>

He emphatically deprecated an "imperial" Council, that is, one held within the Emperor's sphere of influence and chiefly attended by prelates from imperial territories. These conditions were utterly irreconcilable with the German demands, hence in practice they amounted to a rejection of the Council.

French policy did not stop at this passive, essentially negative attitude—it took positive steps to render a Council superfluous by means of a direct understanding with the German Protestants.<sup>3</sup> In a manifesto which he ordered to be widely distributed in Germany, Francis I defended himself against the accusations of which he was the object on account of his earlier attitude to the question of a Council. At the beginning of 1535 he sent Guillaume du Bellay, the brother of the future cardinal, to Germany for the purpose of entering into negotiations with the League of Schmalkalden and certain Catholic anti-Habsburg princes, but above all for the purpose of preventing acceptance of a Council. In the summer of that year Melanchthon received a formal invitation to Paris for the purpose of seeking an understanding with the theologians of the Sorbonne, if possible in presence of a papal commissary. Prospects seemed favourable; quite recently, in his

<sup>1</sup> Vat. Arch., *Lettere de principi*, 10, fol. 196<sup>r</sup> (26 February 1535); so also on 1 March: "Che non si negotia al modo usato et che questo è un altro tempo", AA I-CVIII 6528, fol. 110<sup>v</sup> (decoded).

<sup>2</sup> *C.T.*, VOL. IV, p. cxx f.

<sup>3</sup> Imbart de la Tour, *Origines*, VOL. III, pp. 497-568, and esp. pp. 599 ff., has a masterly description of the French "Rêve de l'unité", though the question of the Council is kept somewhat in the background. The memoirs of the brothers Martin and Guillaume du Bellay (ed. Petitot, Paris 1827) unfortunately ignore these negotiations altogether. I was not able to consult V. L. Bourilly, *Guillaume du Bellay* (Paris 1905).

“Ratschlag”, Melanchthon had acknowledged the jurisdiction of the bishops and the Pope as their head (*ut Romanus Pontifex praesit omnibus episcopis*).<sup>1</sup> What a triumph for Francis I, were he to succeed in putting the Pope under obligation by bringing about the reunion with the Protestants for which the Emperor had striven in vain! In that event a General Council would be superfluous. They could be content with a Roman reform convention at which the Protestants would be represented by their delegates.<sup>2</sup> French diplomacy was sufficiently familiar with the history of the idea of the Council during the last century to know what impression such a prospect would create in Rome.

However, the dream of reunion vanished even before it had taken shape. In view of Melanchthon's negotiations with King Ferdinand at this very time the Saxon Elector forbade his journey to Paris. Thereupon du Bellay tried his luck once more with Brück, the Saxon chancellor. In order to give the negotiations for reunion a start and thus prevent a Council all the more surely,<sup>3</sup> he endeavoured to create an impression that Francis I was coming round to the Protestant standpoint. The King, he alleged, approved the doctrine of justification and that of free will as propounded by Melanchthon; he regarded the Pope's primacy as of human institution, condemned the veneration of images and was willing to let the Protestants retain their Mass without the Canon.<sup>4</sup> It is hardly necessary to say that the representative of the Most Christian King went beyond the boundaries within which, previous to the Council of Trent, Catholics enjoyed freedom of opinion. But this time also success was denied him. The Elector John Frederick recoiled from a rupture with the Emperor and brought the rest of the Schmalkaldic confederates round to his point of view. On 22 December 1535 they gave du Bellay an evasive answer, to the effect that the envoys present at Schmalkalden were not authorised to initiate negotiations for reunion.<sup>5</sup> As in 1530 at Augsburg this time also Luther's intransigent standpoint prevailed over Melanchthon's and Bucer's tendency to compromise. It was this intransigence that wrecked France's attempt

<sup>1</sup> *Corp. Ref.*, VOL. II, pp. 741-75—two versions; *ibid.*, p. 739 f., the covering letter of 1 August 1535.

<sup>2</sup> Carpi to Ricalcati, 4 July 1537, Vat. Arch., Lettere di principi, 10, fol. 251<sup>v</sup>; the original is almost wholly in cypher (AA I-XVIII 6528, fols. 221<sup>r</sup>-226<sup>r</sup>) without accompanying decoded copy.

<sup>3</sup> This intention is already foreshadowed in the discourse before John Frederick on 16 December, *Corp. Ref.*, VOL. II, pp. 1009 ff. (No. 1376).

<sup>4</sup> *Corp. Ref.*, VOL. II, pp. 1014-18 (No. 1378).

<sup>5</sup> *Corp. Ref.*, VOL. II, pp. 1022-7 (No. 1380).

to circumvent a Council by means of direct negotiations for reunion.

The Bishop of Paris, Jean du Bellay, had promised Carpi that he would not only bring back the German Protestants but that he would also "work wonders" with the King of England.<sup>1</sup> The second of these pledges was almost more tempting than the first. That both were no more than a feint for the purpose of crossing the Pope's conciliar policy the nuncio failed to perceive.<sup>2</sup> He became even more hopelessly entangled in the finely spun web of Anglo-French relations than in that of the Franco-imperial ones. Yet the focus of all anti-conciliar efforts was not the French but the English court.

Henry VIII's answer to Clement VII's final sentence of 23 March 1534, which upheld the validity of his marriage with Catherine, was the Act of Supremacy of 3 November 1534, which made it high treason to refuse to acknowledge the King as supreme head of the English Church. John Fisher, the valiant Bishop of Rochester, was beheaded on 22 June 1535,<sup>3</sup> and on 6 July the former Chancellor, Thomas More, followed him to death. These executions were an open declaration of war against the Papacy and were regarded as such. By 30 August the solemn Bull of Excommunication against Henry VIII was ready. However, it was not published because the Pope was anxious first to make sure of the co-operation of the two chief powers in its execution. If, at this moment, the Pope could have the sentence approved by a Council, and if he called on the Christian princes to execute it, the English crown might find itself faced, within a few months, by a united array of continental States against which it would not be able to stand indefinitely in spite of the vast financial resources it had acquired by the

<sup>1</sup> Carpi to Ricalcati, 12 April 1535, Vat. Arch., AA I-XVIII 6528, fol. 158<sup>v</sup>.

<sup>2</sup> On 13 October 1535 Chapuis wrote to the Emperor in a very different strain: "The long speeches of the French ambassador and the Bishop of Winchester about the Council strengthen the suspicion that France and England are working hand in hand to prevent it," *Cal. of Letters*, VOL. IX, p. 197 (No. 594).

<sup>3</sup> For the purpose of orientation in the pertinent literature: G. Constant, *La Réforme en Angleterre* (Paris 1930), pp. 116-32, 474 f. (Eng. edn., VOL. I, pp. 200-3). The copious literature about the canonisation includes: Ph. Hughes, *The earliest English Life of St John Fisher* (London 1935); P. E. Hallett, *The Defence of the Priesthood by John Fisher* (London 1935); D. O'Connor, *A spiritual Consolation and other Treatises of John Fisher* (London 1935); H. O. Evennett, "John Fisher and Cambridge" in *The Clergy Review*, IX (1935), pp. 377-91. According to Carpi it was fatal for Fisher that in the brief informing him of his elevation to the cardinalate the Pope told him of his intention to make use of him at the Council. Henry was afraid that Fisher would maintain his attitude to the King's matrimonial affairs and the royal supremacy in that assembly, Carpi to Ricalcati, 21 June 1535, Vat. Arch., Lettere de principi, 10, fol. 243<sup>r</sup>. For Francis I's attitude mentioned further on, cf. the despatches of 4 and 29 July 1535, AA I-XVIII 6528, fols. 313<sup>r</sup>, 219<sup>v</sup>, 284<sup>r</sup>-289<sup>r</sup>.



ruthless suppression of the monasteries.<sup>1</sup> However, as long as the two great opponents, Valois and Habsburg, remained unreconciled, neither a Council nor the great coalition would materialise. It accordingly became the aim of English diplomacy to keep them apart and to exacerbate their mutual hostility as well as to thwart a Council by every available means. This policy it pursued with iron determination. Henry VIII was playing for high stakes. France's aggressive plans and the League of Schmalkalden's fear of a Council were his natural allies. It must be granted that he exploited both in masterly fashion.

As long as the Pope's reaction to the two executions was not made clear, Henry put on a show of coyness and allowed himself to be wooed by the two men who were to be the enemies of the morrow—the Emperor who, though angered by Henry's treatment of Catherine of Aragon, did not wish to drive him into the arms of France, and Francis I who, in view of the forthcoming conflict, was anxious to retain his one and only ally. When, therefore, in mid-summer 1535 the danger of sanctions became acute, Henry made overtures to France, encouraged her to strike, and thus spoilt the papal peace plan. The game was his the moment swords were drawn. From that moment also the fear of a Council could be regarded as over, and England found herself in the enviable position of a courted neutral.

Up to the summer of 1535 Carpi reported with visible satisfaction that nothing like intimacy obtained between the French and English courts. Francis I let slip no opportunity of criticising Henry VIII's ecclesiastical policy. "One cannot be friends with such a man," he said, on hearing of John Fisher's execution, and on learning of the death of Thomas More he shed tears in presence of the nuncio. It was rumoured that it was due to the latter that the negotiations for an alliance with England broke down, chiefly because England demanded that France should defend Henry's marriage to Anne Boleyn at the Council. But the scene underwent an abrupt change as soon as Carpi urged the King to participate in the sanctions against England. The King coldly replied that the sentence against Henry had been pronounced by Clement VII at the instigation of the Emperor, otherwise it would probably never have been inflicted. Let the Emperor be the

<sup>1</sup> Carpi states repeatedly that it was for the sake of England in particular that the Pope desired a Council: "Per questi rispetti et per ogni altro S.<sup>ta</sup> pensava omninamente di voler il concilio," Vat. Arch., AA I-xviii 6528, fol. 383<sup>r</sup>; so also already on 19 September, *ibid.*, fol. 332<sup>v</sup>. The chief defect of Ehses's account, in my opinion, is that he fails to appreciate the importance of England in the matter of the Council and stresses instead France's opposition somewhat one-sidedly.

first to apply sanctions and lay an embargo on England's trade with Flanders.<sup>1</sup> Chabot summed up the French case in these words: "We shall never support Henry against a papal sentence, but we shall defend him if he is attacked by the Emperor."<sup>2</sup> With the intention of rendering the King of England more amenable to an anti-imperial alliance, French diplomacy went so far as to press the Pope to take stern measures against him.<sup>3</sup> Its calculations proved correct. In the first days of December 1535 things had got so far that the English envoys, Gardiner and Wallop, were in a position to inform the dismayed nuncio that the relations between the two kings could not be closer.<sup>4</sup> For all that, Francis I still sought to save appearances in Rome. While he assured the nuncio that he was doing his best to convince Gardiner of the necessity of a Council,<sup>5</sup> he instructed his envoy in Germany, Guillaume du Bellay, to collaborate with Henry VIII's emissaries to the Diet of the Schmalkaldic League so as to make sure that that assembly declined a Council.<sup>6</sup>

Henry VIII and Francis I were both agreed that they must co-operate with the Schmalkaldic League, but whereas the latter's chief motive was to create difficulties for the Emperor in Germany with a view to weakening him, the danger of a Council was the main pre-occupation of the King of England. In the latter half of the summer of 1535, when the Bull of Excommunication could be expected any day, Henry despatched Bishop Fox of Hereford to Germany for the purpose of securing the Schmalkaldic League's concurrence in a joint action against a Council,<sup>7</sup> and above all for the purpose of preventing it from approving of Mantua as its place of assembly. The King's agent, Robert Barnes, a man of pronounced Protestant sympathies, had already smoothed the bishop's path with the Elector John Frederick; Fox was

<sup>1</sup> Carpi to Ricalcati, 21-22 August 1535, Vat. Arch., AA I-XVIII 6528, fols. 310<sup>r</sup>-314<sup>r</sup>.

<sup>2</sup> *Id.*, 15 November 1535, *ibid.*, fols. 405<sup>r</sup>-409<sup>r</sup>.

<sup>3</sup> *Id.*, 21 November 1535, *ibid.*, fol. 432<sup>v</sup>. The game was so transparent that even Carpi saw through it and warned against precipitate steps against Henry, 8 December 1535, Vat. Arch., Lettere di principi, 10, fols. 315<sup>v</sup>-320<sup>r</sup>, the original *ibid.*, fols. 473<sup>r</sup>-480<sup>v</sup>, without decoded text.

<sup>4</sup> Carpi to Ricalcati, 2 December 1535, Vat. Arch., Lettere di principi, 10, fols. 314<sup>r</sup>-315<sup>r</sup>.

<sup>5</sup> I use the despatch of 20 December 1535 on the King's and Chabot's explanations as given in Lettere di principi, 10, fols. 324<sup>r</sup>-329<sup>v</sup>, because the decoded copy joined to the duplicated original AA I-XVIII 6528, fols. 509<sup>r</sup>-515<sup>r</sup>, is very much damaged.

<sup>6</sup> Du Bellay revealed his intention to Mont, the English agent, at the meeting of Châlons, 5-7 September 1535, *Cal. of Letters*, VOL. IX, p. 101 (Nos. 281 and 298): "to prevent the Germans from consenting to a General Council".

<sup>7</sup> *Cal. of Letters*, VOL. IX, p. 69 f. (No. 213). For what follows, cf. F. Prüser, *England und die Schmalkaldener 1535-40* (Leipzig 1929).

accordingly given an opportunity, on 24 December, to discharge his commission before the assembly of the confederates.<sup>1</sup> His real aim, which was to prevent the Council, was camouflaged with fair words: "England also", he said, "wants a free, Christian Council, at which controversies can be decided in accordance with God's word, but she declines every sort of Council that only ministers to the Pope's ambition."

The League had not yet quite forgotten that by his book against Luther Henry had earned for himself the title of *Fidei Defensor*. Although they declared that they would only accept a Council by mutual agreement they refrained from rejecting it unconditionally and fell back upon the answer given shortly before to Vergerio. Should the Pope actually open a Council they intended to lodge a joint protest.<sup>2</sup> But no agreement was reached on the doctrinal question which for the Protestants was a preliminary for joint action in the affair of the Council. The theological discussions held at Wittenberg between January and March 1536 led to a measure of agreement on some points, but they also brought to light the existence of irreconcilable divergences on essential questions.<sup>3</sup> The Wittenberg divines could not bring themselves to adopt Henry's standpoint with regard to his matrimonial problem while the latter refused to accept the *Confessio Augustana*.<sup>4</sup> The English attempt at reunion shared the fate of the French one; as a matter of fact Henry had lost interest in it for, since the beginning of 1536, he had had a series of successes.

The solemn Bull of Excommunication remained unpublished as long as its execution was not assured. The affair of the Council did not advance one inch on account of France's passive resistance. On 7 January there occurred an event which made it possible for Henry to make overtures to the Emperor—this was the death of the unfortunate Queen Catherine. Through Chapuis, his *chargé d'affaires* in London, Charles V let Henry VIII know that better treatment and the eventual legitimisation of Catherine's surviving daughter Mary might lead to an improvement in their mutual relations; he even went so far as to offer his services as a mediator in Rome. However, in all this the Emperor sacrificed none of his Catholic principles. He made it a first

<sup>1</sup> *Corp. Ref.*, VOL. II, pp. 1028-32 (No. 1382); index of contents, *Cal. of Letters*, VOL. IX, p. 344 f. (No. 1014).

<sup>2</sup> *Corp. Ref.*, VOL. II, pp. 1032-6 (No. 1383); index of contents, *Cal. of Letters*, VOL. IX, p. 345 f. (No. 1016).

<sup>3</sup> Prüser, *England und die Schmalkaldener*, pp. 38-66; the divines' memorial on the divorce in *Corp. Ref.*, VOL. II, pp. 527 ff.

<sup>4</sup> Henry's reply of 12 March 1536, *Corp. Ref.*, VOL. III, pp. 45-50 (No. 1407).

condition that Henry should acknowledge the Pope's supremacy over the Church in England and acknowledge the supreme authority of a General Council.<sup>1</sup> He declined the religious conference suggested by England but pledged himself to Pate, the British envoy, to work for a favourable issue of the Council should Henry accept it.<sup>2</sup>

Henry VIII had no intention of committing himself to a Council. One of the conditions stipulated by him was that the Council must be convoked by the Emperor. He was well aware that neither the Pope nor France would accept such a proposal.<sup>3</sup> In his simultaneous communication to the French he stated that the Council must be convened with the consent of all Christian princes.<sup>4</sup> As for Mantua, it was described as "a most objectionable place" for such a gathering. Henry was not particular about the choice of means so long as he prevented the assembly of the Council.

Thus a year after the despatch of the conciliar nuncios the situation that emerged was as follows: Henry VIII fought the Council everywhere and by every means for he saw it as the greatest danger to his crown and realm. In Germany the Protestants, and a number of the Catholic princes of the Empire, would not accept Mantua as a locality, while the majority was prepared to fall in with any arrangements made by the Pope and the Emperor. France secretly encouraged the opponents of the Council and was about to render its assembly impossible by a great war of aggression. And what was the Emperor doing in order to ensure the realisation of a demand so often made by him and now at last gratified?

The nuncio to the imperial court was Giovanni Guidiccioni,<sup>5</sup> a

<sup>1</sup> Chapuis' report on his conversation with Cromwell on 25 February 1536 in *Cal. of Letters*, VOL. X, pp. 131 ff. (No. 351); *ibid.*, the Emperor's instructions to Chapuis dated 29 February and 28 March, pp. 148 and 224 f. (Nos. 373 and 575). The imperial ambassador at the French court endeavoured at the same time to influence Gardiner and Wallop in this sense, *ibid.*, p. 151 f. (No. 375).

<sup>2</sup> Pate to Henry VIII, 14 April 1536, *Cal. of Letters*, VOL. X, p. 269 (No. 670).

<sup>3</sup> Chapuis to Granvella, 24 April 1536, *Cal. of Letters*, VOL. X, p. 303 (No. 720), cf. also No. 1069.

<sup>4</sup> Henry VIII to Gardiner and Wallop, 30 April 1536, *Cal. of Letters*, VOL. X, p. 320 (No. 760).

<sup>5</sup> The letters published in the *Opere di Giovanni Guidiccioni*, ed. C. Minutoli, VOL. II (Florence 1867), pp. 5-166, date for the most part from the years 1536 and 1537; others are in L. Berra, "Nuove lettere inedite di Mons. Giovanni Guidiccioni e nuove notizie sulla sua nunziatura di Spagna", in *Giornale storico della letteratura italiana*, LXXIX (1922), pp. 274-89; the acts of Guidiccioni's nunciature which Ehse quotes under Arm. VIII Ordo i, VOL. D, are now registered under AA I-XVIII 6524. Berra's verdict on Guidiccioni's diplomatic skill appears to me accurate enough, but it must be borne in mind that he was pushed aside by the collector Poggio. For the life of Guidiccioni see C. Dionisotti in the introduction to *Giovanni Guidiccioni, Orazione ai nobili di Lucca* (Rome 1944).

nephew of Bartolomeo Guidiccioni who for several decades had acted as the Pope's Vicar General in his diocese of Parma and was regarded as his trusted confidant. Giovanni was a poet and a humanist of some distinction, but as a diplomatist he was a match neither for the Emperor (now in his full maturity) nor for his collaborators, the Burgundian Granvella and the Spaniard Cobos. Charles V also saw the contest with France drawing near and was taking measures accordingly. Out of consideration for France he had refrained from pronouncing openly in favour of Mantua before the Estates of the Empire and from providing an escort for Vergerio as he had done for Rangoni. His adviser Croy went to Germany alone, for the purpose of neutralising du Bellay's intrigues. The Emperor's declaration that he had no intention to use force against the Protestants was inspired by the same motive.

The campaign against Barbarossa had claimed Charles V until mid-summer. After its swift and victorious termination, he crossed over to Italy, but with very few troops, so as not to provide more food for the rumours spread by the French that he was about to carry out a high-handed reform of the Curia, would secularise the States of the Church and reduce the Pope to the rank of an imperial chaplain.<sup>1</sup> Charles V's real purpose was to clear up, by means of a personal meeting with Paul III, all questions, both great and small, that were pending.

Causes of tension between the two monarchs were not wanting. The Pope took it amiss that the Emperor should prevent him from proceeding against the Duke of Urbino, who, although a vassal of the Holy See, had taken advantage of the vacancy of the Apostolic See to arrange a marriage between his son Guidobaldo and the heiress of Camerino,<sup>2</sup> and he was deeply hurt by Charles's refusal to allow the young Cardinal Farnese to take possession of the wealthy bishopric of Jaén. It was rumoured that the Emperor had observed that after the Pope's mistake of raising the young Farnese to the cardinalate, he was not going to add to the mischief by granting him a bishopric. In both cases the Pope was theoretically in the right. Both Urbino and Camerino were papal fiefs and as Jaén had become vacant by the death of Cardinal

<sup>1</sup> The chief agitator was Grand Admiral Chabot, cf. Carpi's reports of 19 March, 13 October and 3 November 1535, Vat. Arch., *Lettere di principi*, 10, fols. 213<sup>r</sup>-217,<sup>v</sup> 288<sup>r</sup>-289<sup>r</sup>, 292<sup>r</sup>-297<sup>r</sup>.

<sup>2</sup> On these differences see Pastor, VOL. V, pp. 215 ff. (Eng. edn., VOL. XI, pp. 304 ff.) and Cardauns, "Paul III", p. 162 f.

Merino "in Curia" it was "reserved". But it was equally certain that warlike action by the Pope against Urbino would upset the tranquillity of Italy now so happily restored. It might easily lead to French intervention as well as jeopardise the Council. It was said, not without a show of reason, that the Pope's motive in this affair was his wish to bestow Camerino on a nephew of his. The bestowal of so important a see as Jaén on a boy of fifteen was in contradiction with the principles which had hitherto guided Charles V in all his nominations, to the great advantage of the Spanish Church.

Unsuccessful attempts to settle these differences, petty in themselves yet tiresome, had already been made at Palermo by Lunello, General of the Franciscans, and subsequently by the Pope's son, Pierluigi Farnese, who had been sent to meet the Emperor in southern Italy.<sup>1</sup> They were really of very small significance by comparison with the high aims the Emperor had set himself for his first encounter with the Pope. These he stated in the instructions of 9 December 1535, which Pier Luigi Farnese took back with him to Rome.<sup>2</sup> First on the list was the holding of a Council. "It is impossible", the monarch explained, "to master Lutheranism and the other sects unless their errors are condemned by a Council. The French negotiations for reunion are so many intrigues against a Council; they lead nowhere, as is shown by the attempts made at Augsburg and Ratisbon. All Christian princes, with the sole exception of Henry VIII and the League of Schmalkalden, are in favour of a Council; Francis I is the only one to make difficulties. The only way to stop him is for the Pope to announce that a Council will take place in spite of everything."

Another item of the instructions was a proposal of a political kind. It was that the Pope should join a defensive league for the protection of Italy. This would mean the abandonment of his neutrality. During his memorable stay in Rome between 5 and 18 April 1536, the Emperor moved heaven and earth to win over the Pope to his point of view. The dramatic climax of this fight for the Pope's political soul was the Emperor's great discourse on Easter Monday, in the Sala dei Paramenti, in the presence of the whole papal court and immediately before the

<sup>1</sup> The minutes of Ricalcati's letters to P. L. Farnese, dated 17 October and 19 November 1535, which Cardauns, "Paul III", pp. 162, 166, quotes after *Lettere di principi*, 10, are in Vat. Arch., AA 1-XVIII 6537, fols. 72<sup>r</sup>-76<sup>r</sup>. The attitude in the affair of Jaén is interesting: There is no question of yielding, "ne pensino d'haver ad far con papa Celestino" (fol. 73<sup>r</sup>)—the reference is of course to Celestine V.

<sup>2</sup> Cardauns, "Paul III", pp. 205-10.

solemn High Mass of the day.<sup>1</sup> With all the repressed passion of his melancholic temperament Charles protested against the fact that the Pope, by persisting in his neutrality, put him on a level with the ally of the Turks and the secret patron of the Lutherans. He enumerated the long list of Francis I's sins, from the days of Leo X up to his recent invasion of Savoy, and ended by challenging the French King to settle the dispute over Milan by single combat. The passion with which the Emperor spoke rebounded ineffectively from the cool shrewdness of the Farnese Pope. Paul III had no thought of abandoning his neutrality.<sup>2</sup> He contented himself with initiating fresh negotiations, the futility of which it was easy to foresee in view of the aggressiveness of the French King and the tenacity with which his opponent asserted his will to power and domination. On 9 June the Pope despatched Cardinal Caracciolo to the Emperor and Cardinal Trivulzio to Francis I as legates, with a view to peace negotiations.<sup>3</sup> All was in vain; things had gone too far. Francis I declined the candidature of his third son, the Duke of Angoulême, for the Duchy of Milan which had been proposed to him, and refused to evacuate Savoy. The counter-proposal that Milan should be conferred on the Duke of Orleans was unacceptable to the Emperor, if only on account of the Duke's Italian wife, Catherine de' Medici. The truth was that he was unwilling to give up Milan.

The Pope's firm maintenance of neutrality brought him a great reward. France assented to the convocation of a Council. It required no small effort on the part of Carpi to wring this concession from the King, though its value was considerably lessened by the restrictive clause "on condition that the King shall be able to assist at it without danger to his person and in a manner agreeable to his dignity".<sup>4</sup> Although now as before France's participation remained doubtful, the decision to hold the Council at Mantua was nevertheless finally taken

<sup>1</sup> The best account of the Emperor's discourse of 17 April is in Rassow, *Kaiseridee*, pp. 379-92; cf. also pp. 421-30, where there is the full text of the report of the "Italian diplomatist B" of which Cardauns gives only extracts, *loc. cit.*, pp. 211-14. For an appreciation see, besides the literature listed in Pastor, VOL. V, pp. 174 ff. (Eng. edn., VOL. XI, p. 241), Rassow, *Kaiseridee*, pp. 173-268; Brandi, *Quellen*, pp. 258 ff. Francis I's reply of 11 May, which was also read in the *Sala dei paramenti* by the French ambassador on 25 May, as well as Charles V's reply of 16 May are published in *Q.F.*, XII (1909), pp. 324-43, but have no bearing on the question of the Council.

<sup>2</sup> To the joint declaration of neutrality by Granvella and Cobos on 14 April, published by Hefele-Hergenröther, *Conziliengeschichte*, VOL. IX, pp. 947-50, must be added Ricalcati's instructions to Carpi, 27 April, Cardauns, "Paul III", p. 231 f.

<sup>3</sup> Briefs of 14 June in *C.T.*, VOL. IV, pp. 7 ff.

<sup>4</sup> *C.T.*, VOL. IV, p. cxxviii.

during the Emperor's stay in Rome. In the consistory of 8 April seven cardinals were instructed to draw up the Bull of Convocation; they were the Cardinal-bishops Piccolomini and Campeggio, the Cardinal-priests Ghinucci, Simonetta and Contarini, and the Cardinal-deacons Cesi and Cesarini.<sup>1</sup> They were to be assisted by experts in the persons of the former German nuncios Aleander, Rangoni and Vergerio.

In the last days of April Aleander's draft was submitted to the Emperor's chief counsellors Granvella and Cobos, both of whom had remained in Rome. They suggested a number of alterations such as that the present convocation of a Council was the fulfilment of proposals frequently made to Clement VII by the Emperor and his brother, and that the King of France was in agreement with it. The object of the latter clause was, of course, to tie down Francis I by so public a statement. Thereupon the French envoy demanded that his master should also be mentioned in the Bull as having actively promoted a Council. Although no formal proposal by Francis I could be found in the acts, beyond the non-committal commonplaces about the usefulness of a Council with which we are familiar, the Pope insisted that mention should be made of the King's "exceedingly pious" letters to his predecessor. He was evidently anxious not to jeopardise the affair of the Council from the outset by further exacerbating Francis's jealousy.

When everything was ready Vergerio asked to be heard once more. In his opinion the announcement that the Council would be conducted "on the model of the earlier Councils" as well as the choice of Mantua for its location, was bound to incense the Protestants and induce them to stay away. In point of fact this very formula was one of Clement VII's conditions and had created much bad blood at the time. It was accordingly dropped but, as was natural enough, the Pope would have no further discussion of the decision concerning Mantua which it had been so difficult to arrive at.<sup>2</sup>

The draft of the Bull was read in the consistory of 5 May, accepted on the 15th, but the final text was only approved on 2 June. On Whit Sunday, 4 June, it was signed by twenty-six cardinals after which it was read in St Peter's and in the Lateran and posted up on the doors of these

<sup>1</sup> Consistorial acts in *C.T.*, VOL. IV, p. 1 f.; Sanchez's reports to Cles dated 8, 13, 16 and 27 May and 15 June, St. Arch., Trent, Cles, Mazzo 10; to Ferdinand I, 7 July, Bucholtz, *Ferdinand I*, VOL. IX, pp. 136 ff.; the imperial minister's and Vergerio's memorials in *N.B.*, VOL. I, i, pp. 583-8.

<sup>2</sup> From Cifuentes' report of 18 May we learn that Vergerio's objections were the main cause of the delay of the Bull of Convocation, *Cal. of St. Pap., Spain*, VOL. V, ii, p. 132 (No. 56).



two basilicas as well as at the Cancellaria and in the Campo Fiore.<sup>1</sup> The peace-legates Caracciolo and Trivulzio presented authentic copies to the Emperor and to Francis I. For other princes and prelates printed copies were provided which were authenticated in each case by the nuncios and a notary.

The Bull *Ad dominici gregis curam* of 2 June 1536 summoned a General Council to Mantua on 23 May 1537, and called upon all bishops, abbots and other prelates of the whole world to appear there in person: the Emperor and other princes were requested to attend in person if possible, and if this was not feasible to send representatives. As for the purpose of the Council, the Bull specified the traditional tasks, namely the extirpation of errors and heresies, the reform of morals, the restoration of peace in Christendom and preparation for a great expedition against the infidels.

The Council was convoked. The great, long-expected step was taken. Yet the goal was further off than anyone would have imagined. The first step was to set in motion the machinery of ecclesiastical administration in order to make sure that the convocation of those who were legally bound to attend the Council was made with due formality, lest anyone should challenge it. There nevertheless followed a whole chain of difficulties both old and new, with the result that after three whole years of discussion this way and that, the hope of a Council faded out once more.

<sup>1</sup> The original text of the Bull of Convocation is lost, nor is there a registration of it. Ehses has accordingly used the new draft made in 1545 and kept in Vat. Arch., Concilio 90, for the text published by him in *C.T.*, vol. iv, pp. 2-6. The Bull bears the signatures of only six cardinals, the remaining signatures are reproduced from the copies preserved in Concilio 1 and 116 and from a broadsheet; cf. Ehses, "Konzils-bullen vor Beginn des Trienter Konzils", in *R.Q.*, xii (1898), p. 224 f. The previous editions are all based on Raynald, *Annales*, a. 1536, No. 35.

## The Miscarriage of Mantua and Vicenza

THERE were no definite directions in the written code of the Church with regard to the persons to be summoned to a General Council, but canonists were agreed that all *praelati majores*, that is, bishops and others enjoying episcopal jurisdiction, had to be summoned in due canonical form.<sup>1</sup> Cardinal Jacobazzi<sup>2</sup> maintained that by right of prescription abbots and generals of Orders, in fact all those who, on assuming office, promised under oath to attend a Council, could be made to attend. There was a consensus of opinion that though the laity were not entitled to vote it was possible and even necessary for them to be represented for the defence of their interests. It was therefore in keeping with practical requirements as well as with the still unbroken medieval conception of the *corpus christianum* that princes, including "protesting" ones, should be invited. The Mantuan convocation was inspired by these principles. Briefs were despatched to all metropolitans<sup>3</sup> in which the Pope ordered them to summon their suffragans, the abbots and other prelates as well as the universities within their territories to attend the Council, by means of authenticated copies of the Bull of Convocation. They were likewise charged to hand to the bishops the briefs addressed to each of them individually. In southern Europe the distribution of these documents was entrusted to the ordinary nuncios. In the Spanish realm and in Naples the citation met with some difficulties. By mid-April 1537, acknowledgment of receipt had reached Rome from 110 Neapolitan bishops and a considerable number of Spanish prelates, among them the Archbishops of Toledo and Granada,

<sup>1</sup> D. Jacobazzi, *De concilio* (Rome 1538), Lib. II, arts. 2 and 3; M. Ugoni, *De conciliis* (Venice 1532), fols. 61-70; F. Nausea, *Rerum conciliarium libri V* (Leipzig 1538), BK III, Ch. 11 f., has the formula: "Omnes quorum adesse interest".

<sup>2</sup> "Hodie tamen inolevit consuetudo, quod etiam abbates et generales ministri ordinum religiosorum et omnes, qui, cum promoventur ad dignitatem, iurant venire ad synodum, sunt vocandi ad generale concilium", Jacobazzi, *loc. cit.*, p. 80. He even leaves open the possibility of inviting cathedral chapters (p. 82), but is silent about the universities which, as we shall see, did get an invitation but, of course, no right to a vote.

<sup>3</sup> The briefs to the Archbishops of Toledo and Mainz in *C.T.*, VOL. IV, pp. 28, 30. For the bishops of the Kingdom of Naples—in view of their great number—the nuncio had the Bull printed locally.

the Bishops of Segovia, Palencia, Osma, Córdoba and Concha, the cathedral chapter of Jaén, and a number of abbots and universities. The Bishop of Mexico, however, who had received the Bull of Convocation at the beginning of 1537 and who intended to obey the invitation together with the Bishops of Guatemala and Oaxaca, was prevented by the Spanish government from undertaking the journey to Europe, evidently because the government was afraid lest the participation of American bishops should provide an opportunity for outsiders to meddle with the internal affairs of the Spanish colonies. With a view to quieting the bishops' consciences, the Emperor charged Aguilar, his envoy in Rome, on 18 March 1538 and again on 21 February 1539 to request the Pope to grant them a dispensation.<sup>1</sup>

The Bull only reached Portugal, after many delays, in the spring of 1537 through the newly appointed nuncio Jerome Capodiferro.<sup>2</sup> The King made excuses for all his prelates and sought authority to appoint a Portuguese deputation to the Council made up of prelates and theologians. The Pope rejected the proposal and insisted on the principle that all prelates must appear in person.<sup>3</sup>

For the countries of northern and eastern Europe the Pope appointed nuncios extraordinary. They were the General of the Servites, Dionisio Loreri, for Scotland, Pamfilo Strassoldo of Friuli for Poland, and the Dutchman Peter van der Vorst for the Empire, the Netherlands and the Scandinavian States.

Loreri contented himself with a personal invitation to King James, who just then happened to be in France for his marriage to Madeleine, daughter of Francis I; the citation of the Scottish bishops was entrusted to the King's favourite, the future Cardinal Beaton.<sup>4</sup> The itinerary of the other two nuncios extraordinary had been laid down for them in Aleander's instructions.<sup>5</sup> The fact was that the Pope attached

<sup>1</sup> *C.T.*, VOL. IV, p. 105 f. The lists preserved in Vat. lat. 3915, fols. 111<sup>r</sup>-113<sup>v</sup> (93+34 names of places), contain the names of abbots also. The summary of the Spanish summonses is in Vat. lat. 3918, fols. 116<sup>r</sup>-119<sup>r</sup>. For the American bishops cf. P. Leturia, "Perchè la nascente Chiesa ispano-americana non fu rappresentata a Trento", in *Il Concilio di Trento*, I (1942), pp. 35-43.

<sup>2</sup> Brief of 24 December 1536, *Corpo diplomatico Portuguez* (Lisbon 1862-1910), VOL. III, p. 347 f., with the brief of 23 April announcing the postponement of the opening and John III's reply; also in J. de Castro, *Portugal*, VOL. I, pp. 449-56. I can find no proof for Ehses's assertion, *C.T.*, VOL. IV, p. 127, n.1, that Capodiferro's predecessor Poggio had had any instructions to this effect.

<sup>3</sup> Brief of 30 August 1537, *Corpo diplomatico Portuguez*, VOL. III, p. 399 f.; de Castro, *Portugal*, VOL. I, p. 457 f.

<sup>4</sup> The as yet unpublished acknowledgment of receipt in Vat. lat. 3915, fol. 154<sup>r</sup> (Paris 28 January 1537) cop., contains nothing of importance.

<sup>5</sup> *C.T.*, VOL. IV, pp. 31-40 (10 September 1536).

great importance to the summons to the Council being carried out in a strictly juridical form in countries affected by the schism. He charged the nuncios always to use the same terms in their oral announcement and to have a notary at hand, so that a notarial instrument of the act could be drawn up at any time. From bishops they were to demand a formal receipt, from princes they were to pray for one. They were strictly forbidden to allow themselves to be drawn into any discussions, especially about the locality of the Council. All such attempts were to be cut short with a declaration that the Council was taking place in consequence of an agreement between Pope and Emperor, hence they alone were qualified to enter into negotiations.

With a view to easing van der Vorst's task, Strassoldo<sup>1</sup> had been commissioned to inform Cardinal Lang of Salzburg of the forthcoming Council, notwithstanding the fact that the nuncio accredited to the Empire would have to call on him in any case since the cardinal was the head of the Bavarian Circle. After discharging his mission at Salzburg, Strassoldo passed through Vienna on his way to Bishop Stanislaus Thurzo<sup>2</sup> of Olmütz. From there he went to Cracow, where on 7 December the Archbishop of Gnesen, Andrew Critius, communicated to him the King's affirmative answer.<sup>3</sup> The delivery of the documents intended for the Archbishop of Riga and his suffragans he entrusted to messengers.<sup>4</sup> As was to be expected, the bishops of the territory of the Teutonic Knights in Prussia, who had embraced Protestantism, only gave a conditional assent.<sup>5</sup> In December Strassoldo returned to Rome via Neisse, where on 20 December the Bishop of Breslau, Jacob von Salza, gave him an attestation of receipt of the Bull and the covering brief.<sup>6</sup>

<sup>1</sup> P. Paschini, "Un nobile Friulano ai servigi di Paolo III: Pamfilo Strassoldo", in *Memorie storiche Forogiuliesi*, xxiii (1927), pp. 109-14. Strassoldo was only made a protonotary on 9 September 1536; at a later date he became *governatore* of Fano, vice-legate of Viterbo, *governatore* of the Campagna Marittima and Archbishop of Ragusa in 1544. He died some time after 1 July 1545.

<sup>2</sup> For the order observed in the invitation to the bishop, the cathedral chapter and the Premonstratensian abbot Martin, cf. Vat. lat. 3915, fol. 144<sup>r</sup>.

<sup>3</sup> Reports from Cracow, 28 November and 11 December 1536, *C.T.*, vol. iv, pp. 50 ff.; the replies p. 52, n.1.

<sup>4</sup> The Archbishop of Riga's reply, 25 December 1536, in *C.T.*, vol. iv, p. 52, n.1, that of the Bishop of Dorpat of 5 January, in Theiner, *Mon. Pol.*, vol. II, p. 518.

<sup>5</sup> *C.T.*, vol. iv, p. 80; Theiner, *Mon. Pol.*, vol. II, p. 519; the records of the previous negotiations in P. Tschackert, *Urkundenbuch zur Reformationgeschichte des Herzogtums Preussen*, vol. II (Leipzig 1890), pp. 348-52.

<sup>6</sup> H. Jedin, "Die Beschickung des Konzils von Trient durch die Bischöfe von Breslau", in *Archiv für schlesische Kirchengeschichte*, I (1936), pp. 60-74; the Bishop's receipt is on p. 63.

Van der Vorst's programme was far more extensive.<sup>1</sup> Accompanied by a numerous suite which included his own brother Jacob, the Provost of Lübeck, Jodocus Hoetfilter, and the secretary Cornelius Ettenius to whom we owe the description of the journey—a document of the greatest interest from a sociological point of view—he travelled via Trent and Brixen where he delivered the Bulls and briefs intended respectively for Cardinal Cles and for the Vicar of the Prince-Bishop, George of Austria, and so reached Vienna and the court of Ferdinand I. On 11 November, in presence of the privy council, he presented to Ferdinand I the conciliar Bull in a red folder adorned with the arms of the Pope and the King. Four days later Cardinal Cles returned an affirmative answer on all points. The written attestation of receipt of the Bull which was handed to van der Vorst on 18 November, stated that the convocation of the Council gave the King of the Romans extraordinary satisfaction—*singulare gaudium eximiamque laetitiam*.

The journey from Vienna to Passau, via Linz, took Brueghel's pleasure-loving countrymen ten days, for the great abbeys of Klosterneuburg, Melk and St Florian vied with one another in treating the Pope's messenger to sumptuous banquets. They, on their part, did ample justice to the good things offered to them and admired the magnificent organs and rich libraries of their hosts. They called on Cardinal Lang, as head of the Bavarian Circle, and visited Duke William of Bavaria in his hunting-lodge at Hechenkirchen. When William expressed some doubts about the Council really coming off, the nuncio told him emphatically that it would take place whatever happened. He then continued his tour at a leisurely pace, calling on the smaller Wittelsbach princes at Freiburg and in the Upper Palatinate and on Bishop

<sup>1</sup> For van der Vorst's nunciature the two papers by F. X. de Ram are still indispensable, viz. "Nonciature de Pierre van der Vorst d'Anvers, évêque d'Acqui, en Allemagne et dans les Pays-Bas 1536-37", in *Nouveaux mémoires de l'Académie royale de Bruxelles*, XII (1839), hereafter quoted as "Nonciature", supplemented by "Documents relatifs à la Nonciature de Pierre van der Vorst", in *Bulletin de la Commission Royale de Belgique*, third series, vol. VI (1864), quoted as "Documents". Cornelius Ettenius's diary there quoted is important because—as bound by his instructions—he made an official record, in his capacity as a notary, of the notifications of the Council, together with an accurate record also of the witnesses. The Vatican records in the second of the above-mentioned writings are now available in a better edition by Ehses, *C.T.*, vol. IV, pp. 42-141. Van der Vorst himself belonged to the circle of Adrian VI, after whose death he became one of the familiars of Cardinal Enckenvoirt, auditor of the Rota and in 1534 Bishop of Acqui. He moreover held a number of benefices on the Lower Rhine and in the Low Countries. There is no need, for our present purpose, to enumerate all the local sources for Vorst's journey, as for instance the account in J. Schlecht's *Kilian Leibs Briefwechsel und Diarien* (Münster 1909), p. 123, entitled "Weihnachten in Eichstätt".

Stadion at Dillingen. While at Augsburg he received a strong warning from the Pope to hurry. He had been on the way three months and had not yet seen a single Protestant prince.

In a somewhat accelerated tempo van der Vorst called on Margrave George of Brandenburg. Like Vergerio in the previous year he too met with a most gracious reception at the court of Ansbach, but like him with a similar refusal. When he attempted to justify the choice of Mantua on the ground that it met the wishes of the other nations, the Margrave put to him the disconcerting question: "But what if I can prove that a west German locality would be acceptable to the King of France?" "What we want", he added, "is not the promise of a free passage but a formal *salvus conductus* executed by the Emperor and guaranteeing the personal security of our envoys and our theologians." Van der Vorst had no such document. Moreover, on account of his inadequate acquaintance with the background of the conciliar question, particularly with the Nuremberg negotiations, he cut a somewhat helpless figure before the wily Margrave. However, this scene was only a prelude; worse was to follow.

While the nuncio continued in exceedingly leisurely fashion his round of visits to the Prince-Bishops of Bamberg and Würzburg, and while great honour was being paid him wherever he went,<sup>1</sup> news reached him that on 8 February 1537 the League of Schmalkalden was to hold a meeting in the city of its origin. Van der Vorst's request to see the Elector of Saxony before the gathering was not granted. He was told to repair to Schmalkalden, and though he and John Frederick met at Weimar while on their way to the assembly, the Elector refused to speak to him. At Schmalkalden itself the nuncio experienced the deepest humiliation ever inflicted upon a representative of the Pope in Germany. On 25 February he was at last received by John Frederick, to whom he handed both the conciliar Bull and the covering briefs. The Elector took the documents from the table on which the nuncio had laid them but left the room under some pretext without taking the papers.<sup>2</sup> The councillors who had remained in the room invited the nuncio to collect them. He refused to do so. They told him that they would give him an answer after consultation with their confederates, whereupon the nuncio asked how it was possible for them to give an

<sup>1</sup> Ettenius in de Ram, "Documents", pp. 150-6. The Bishop of Bamberg presented the nuncio with a precious sapphire and the Bishop of Würzburg went out to meet him with an escort of 100 mounted men.

<sup>2</sup> In addition to van der Vorst's report of 2 March, *C.T.*, vol. IV, pp. 89-92, cf. the detailed account by Ettenius in de Ram, "Nonciatures", pp. 17-20.

answer to a letter which they had not read? In the end he left the room, leaving the documents on the table. The next day Landgrave Philip of Hesse and the Dukes of Pommerania, Württemberg and Lüneburg informed him that they shared the views of the Elector, hence there was no purpose in another interview. The nuncio waited for another four days without anything happening. At length, on 2 March, Brück, the Saxon chancellor, supported by four princely councillors, presented himself at the nuncio's lodgings to return both Bull and briefs. He also handed to the nuncio a copy of the League's reply to the imperial vice-chancellor, Matthias Held, who was also at Schmalkalden at this time, for it was with the latter not with van der Vorst that the League was prepared to negotiate on the affair of the Council. As a matter of fact van der Vorst's instructions forbade him to enter into any negotiations. All he was entitled to do was to have the conciliar citations legally attested, whereas Held was not only empowered but actually charged to negotiate in the name of the Emperor. The course of his mission is the best commentary on the unheard-of proceedings at Schmalkalden.

Held had been sent to Germany for the purpose of finding ways and means, after consultation with King Ferdinand, for a settlement of the religious dispute.<sup>1</sup> The Emperor's affairs were in a bad way. The great offensive in Provence had failed. If the Turks were to attack now he would be faced with a war on two fronts. Hence the monarch's most pressing concern was to heal the deepest wound in his world-wide empire—the religious cleavage. Held was charged, in the first instance, to ascertain the attitude of the Estates of the Empire to the Council of Mantua, and in the event of that assembly not taking place, that is if the Pope himself withdrew, to examine what further possibilities remained. Should a Popeless Council be held, perhaps with the co-operation of Portugal, Poland and the small Italian States? Or a German national assembly which might meet the Protestants' demands on such points as were not of the substance of the faith? Or should

<sup>1</sup> On Held's mission, 1536-9, and on the course of historical inquiry starting from Ranke and back to him, see Rassow, *Die Kaiseridee Karls V* (Berlin 1932), pp. 393-8, Brandi, *Quellen*, p. 276 f.; G. Heide's reconstruction of the text of the German instruction which is lost, in *Historisch-politische Blätter*, CII (1888), pp. 718 ff.; the French secret instructions in Lanz, *Correspondenz*, VOL. II, pp. 268-72. I too am of opinion that Held's action at Schmalkalden was at variance with the Emperor's real intentions, for the latter aimed at an *entente* with the Protestants. The possibilities mentioned in the instructions did not constitute formal directives. Held's further commissions—help for the Turkish war, French propaganda, a Catholic league—I deliberately leave on one side; cf. Cardauns in *Q.F.*, XII (1909), pp. 195-211. Biographical literature on Held in Schottenloher, Nos. 8138-43.

they be content with a political armistice on the model of the religious Pacification of Nuremberg?<sup>1</sup>

The perspectives which the Emperor himself thus opened betray profound distrust of the Pope's intentions, a disposition not justified by the pontiff's conduct in the affair of the Council but rather based on personal impressions and opinions. In his address to the members of the League at Schmalkalden on 15 February 1537, Held made no reference to these future possibilities.<sup>2</sup> On the contrary, the Emperor stated his firm determination to attend the Council in person if it was at all possible; in spite of the war he would do his utmost to bring it about and he urged the princes to accept it and to send their representatives to it.

Held's proposal and van der Vorst's mission did not take the confederates unawares. Already in the summer of 1536, that is as soon as he became cognisant of the text of the conciliar Bull, the Elector John Frederick of Saxony had sought the advice of his divines and jurists.<sup>3</sup> These strongly dissuaded him from a summary rejection of the Council, not only in the event of the Protestant princes being invited to attend like all other Christian princes, but even in the event of their being cited with the usual legal formalities, otherwise, as the advisers justly observed, they ran the risk of being declared contumacious, in which case they would be debarred by their own act from future opportunities.<sup>4</sup> When John Frederick, in agreement with the Landgrave of Hesse, went the length of proposing a Protestant opposition Council to be convened by Luther—to which the English and the French would be invited and which would assemble under the protection of an army of eighteen thousand men—these erudite advisers roundly dismissed so fantastic a scheme. They based their verdict on a consideration which reveals their consciousness of ecclesiastical unity—such a Council, they said, would raise the great, the terrible spectre of a possible schism.<sup>5</sup>

<sup>1</sup> The decisive passage in the French instructions is also given by Brandi, *Quellen*, p. 276.

<sup>2</sup> Intimation of the Council in French, Lanz, *Staatspapiere*, p. 238 f.; Latin translation in *C.T.*, VOL. IV, p. 71 f.

<sup>3</sup> The documents in *Corp. Ref.*, VOL. III, pp. 99-158 (Nos. 1449-65), have been put in their chronological order by H. Virck in *Z.K.G.*, XIII (1893), pp. 487-512; W. Gussmann has produced a better text of Nos. 1460, 1461 and 1521 in *A.R.G.*, XXIII (1926), pp. 269-86; for the whole subject see G. Mentz, *Johann Friedrich der Grossmütige*, VOL. II (Jena 1908), pp. 105 ff.

<sup>4</sup> The "first counsel" in *Corp. Ref.*, VOL. III, pp. 119-25 (No. 1456); Melanchthon is the author of this piece, and of No. 1459.

<sup>5</sup> The Elector's memorial, written in the first days of December, in which the project for a counter-council is unfolded, in *Corp. Ref.*, VOL. III, pp. 139-44 (No. 1462); *ibid.*, the "second counsel", pp. 126-31 (No. 1458).



At the request of the Elector Luther, assisted by Melanchthon and six other divines, drew up a list of the doctrines which divided Protestants and Catholics and which were therefore to be upheld at any price. These doctrines are the famous Schmalkaldic Articles.<sup>1</sup> Whereas the *Confessio Augustana* had been conciliatory, the articles draw a firm line of demarcation between Protestantism and Catholic dogma. However, in the end it was the politicians,<sup>2</sup> not the theologians,<sup>3</sup> who turned the scales at the Diet of the Confederation in favour of intransigence and a flat rejection of the Council.

The answer which they handed to Held on 24 February 1537<sup>4</sup> recounted once more the long story of the question of the Council since Chiericati's appearance at Nuremberg. It came to this: "The Council convoked by Paul III was not the free, Christian Council in German lands demanded by the Estates and promised by the Emperor. The Bull of Convocation spoke of condemning recent heresies, hence it passed judgment on the teaching of the Lutherans even before the Council met. As for the announcement of the reform of the Church, its sole aim was to delude the Emperor. Though a party to the dispute, the Pope set himself up as a judge." In their arrogance the men of Schmalkalden took it on themselves to declare that the Pope stood for errors and abuses which were at variance with Holy Scripture, the Councils and the unanimous teaching of the Fathers. "We accuse him", they went on, "—him and his adherents—of simony, neglect of his pastoral office and of the worst kind of immorality. How could we feel safe at a Council held in Italy, where the Pope wields so much power and where our enemies are so many?"

The men of Schmalkalden thus arrogated to themselves a right to pass final judgment in matters of faith which they denied to the Pope. The accusation that the Pope was bent on deception was as incapable

<sup>1</sup> For the genesis of the articles, cf. H. Volz, *Luthers Schmalkaldische Artikel und Melanchthons "Tractatus de potestate papae"* (Gotha 1931).

<sup>2</sup> As late as 13 February Bugenhagen wrote to Justus Jonas: "Nos suademus non recusandum esse concilium", but continues "mire oderunt nostri principes et confederati Romanum Antichristum"; *Z.K.G.*, xxxi (1910), p. 91 f.

<sup>3</sup> As early as 3 August 1536 Brück had laid down the axiom: "Je gelinder die Leute (viz. the Pope) desto grösser die Gefahr dass Betrug dahinter steckt", *Corp. Ref.*, vol. III, p. 151. The invitation was actually couched in mild terms, in the sense that it was not a formal citation. Even the 14 questions submitted to the League on 24 December and to which the members were to reply, still contemplated the possibility of their attending the Council. Text in *Forschungen zur deutschen Geschichte*, xxii (1882), pp. 633 ff.

<sup>4</sup> *C.T.*, vol. IV, pp. 73-8; for the preliminaries, cf. *Politische Correspondenz*, vol. II, pp. 414-29; Mentz, *Johann Friedrich der Grossmütige*, vol. III, pp. 357 ff.

of proof as their other accusations against his person. The tone of their answer was as unprecedented as was their treatment of the nuncio. Held declared his solidarity with the latter in so far as he utterly rejected every attempt to drive a wedge between the Pope and the Emperor in the affair of the Council. The Emperor, he explained, had no intention of defending doctrines, institutions or abuses which were at variance with the word of God; he was determined to resist every kind of partiality and intrigue at the Council and to see to it that it was conducted in a free and Christian manner. On the other hand he did not feel qualified to lay down rules of procedure for the assembly as the men of Schmalkalden were attempting to do, though no one would prevent them from submitting to it their wishes in this respect. He ended by justifying the choice of Mantua on the ground that this was the wish of the other nations. The Duke of Mantua was the Emperor's vassal and he would give them every guarantee they might require for their personal safety. Let them reconsider their answer and accept the Council without reservation.<sup>1</sup>

These exhortations fell on deaf ears. In their reply of 28 February,<sup>2</sup> the confederates said: "We are unable to alter our view of the Pope's intentions and to accept the Council since acceptance would be the same as submitting in advance to the verdict which will surely be pronounced." "The freedom of the Council", they now stated with all the clarity that could be wished for, "does not consist in the possibility of a free expression of opinion but in the Pope being debarred from the presidency. By a Christian Council we mean one whose only standard is Holy Scripture. This was the meaning of the earlier decisions of the Diet and from these we will not depart. The Diet's demand for a German locality for the Council conforms to the practice of the ancient Church, when theological controversies were decided in the place of their origin."<sup>3</sup> Mantua is suspect by the mere fact that the Duke's brother is a Roman cardinal. We do not doubt the Emperor's good intentions, but he will be as powerless to give them effect as was the Emperor Sigismund at Constance. We are not going to walk into the Pope's trap; for us Mantua is unacceptable. If the Pope prevents the assembly of a free Christian Council in Germany, we protest

<sup>1</sup> *C.T.*, VOL. IV, pp. 78 ff.

<sup>2</sup> *Ibid.*, pp. 81-7.

<sup>3</sup> For this alleged practice Melanchthon appeals to canon 19 of the Council of Chalcedon (*Corp. Ref.*, VOL. III, p. 136), but the Greek text shows that his translation is wrong (Hefele, *Conziliengeschichte*, VOL. II, p. 522): the canon only prescribes provincial synods.

before God and the whole of Christendom that we are not responsible for the consequences and we reserve our complete freedom of action."

The kind of Council favoured by the League of Schmalkalden was neither a general Council as understood by Christian antiquity nor an assembly of Christendom like the General Councils of the early and late Middle Ages, but a plain Protestant lay assembly. Their suggestion was that the Pope should waive his supreme authority and that the teaching Church should accept the Lutheran principle of the Scriptures as the only authority in matters of faith. On such a basis no understanding was possible; if the Protestants insisted on it, there was no alternative except to hold the Council without them. The Protestants explained their standpoint to the general public in an official pamphlet published on 5 March, the first of a long series of Protestant writings in defence of their rejection of the Council.<sup>1</sup>

Van der Vorst left Schmalkalden on 3 March. After an exchange of views on the new situation at Halle with Cardinal Albrecht of Mainz and the imperial vice-chancellor he journeyed to Zeitz where, on the 13th, he presented the invitation to the Council to the Elector Joachim II of Brandenburg, to Duke George of Saxony and to Duke Henry of Brunswick.<sup>2</sup> All three accepted it and the Elector Joachim promised to send representatives, provided freedom of speech and freedom to make proposals was guaranteed to his envoys.

Time pressed: the Council should have been opened on 23 May. Crossing north Germany,<sup>3</sup> van der Vorst reached Verden, where he entrusted to the Archbishop of Bremen ten packets containing the Bulls and briefs for the Scandinavian Kings, the Archbishops of Lund, Drontheim and Upsala and the Hanseatic city of Lübeck. At the castle of Iburg he invited Francis von Waldeck, Bishop of Münster, Minden

<sup>1</sup> The copy sent to the Duke of Mantua together with a covering letter from John Frederick of Saxony and Philip of Hesse, dated 26 March 1537, in St. Arch., Mantua, Busta 3356; a new edition by Le Plat, vol. II, pp. 657-83. In the archives of the *Gregoriana* in Rome (Cod. 621, fols. 39<sup>r</sup>-44<sup>v</sup>) there is a pamphlet (without indication of place of printing) entitled: "Ratio, cur synodus illa, quam Paulus Ro. Pontifex eius nominis III Mantuae celebrandum parum candide indicit et se habiturum esse significat, neque aequa videri possit neque utilis ecclesiae, unde ab iis, qui sacrosanctum evangelium ineffabili Dei misericordia revelatum acceperunt atque ecclesiae Christi consultum esse volunt, optimo iure ut suspecta recusari debeat, regibus et monarchis praesertim exterarum nationum adeoque omnibus bonis viris exposita."

<sup>2</sup> Report of 23 March, *C.T.*, vol. IV, pp. 95-8; *ibid.*, p. 93 f., George of Saxony's and Joachim II's declarations of assent.

<sup>3</sup> Report of 8 May, *C.T.*, vol. IV, pp. 115-20; also de Ram, "Documents", pp. 172 ff.; "Nonciature", pp. 42 ff.

and Osnabrück, to the Council, after which he journeyed towards the Rhine, that life-artery of the west which on the whole still remained Catholic. Fresh surprises were in store for him there. The Duke of Cleves, of whom he had no high expectations, seeing that he was the father-in-law of John Frederick of Saxony, accepted the Council but asked many questions about a safe-conduct. The ecclesiastical Electors of Cologne and Trier, Hermann von Wied who was already wavering and was only kept in the Church by Gropper, and Johann von Metzenhausen, an otherwise well-disposed prelate, pleaded an earlier agreement of the Rhenish Electors and declared that they could only promise to put in an appearance at Mantua after they had consulted together. Count Palatine Louis repeated the more than curious game which he had played before at the expense of Vergerio; he refused to see van der Vorst as he passed hard by his residence and instructed his councillors to tell him at Heidelberg that they were ignorant of their master's whereabouts. The nuncio had to be satisfied with a document attesting receipt of the Bull and bearing the seal but not the signature of the Palatine.

The Bulls and briefs for the ecclesiastical province of Besançon had been despatched by van der Vorst during his stay at Mainz. During his first stay at Cologne he had invited the university and the senate of that imperial city to the Council. On his return to the Lower Rhine he received from them the strange reply that they would adopt exactly the same attitude to the Council of Mantua as the one they had adopted, at an earlier period, to Constance and Basle.<sup>1</sup> On reaching his native Netherlands the nuncio presented the convocation documents to the Duke of Geldern at Arnheim. The Bishops of Utrecht and Liège he only met at Brussels, where he arrived on 4 June.<sup>2</sup> With an invitation to the regent of the Netherlands, Queen Mary of Hungary, the nuncio provisionally terminated his mission on 12 June 1537. On his return journey to Italy he acted once again as conciliar nuncio to the Swiss Confederation.

It must be admitted that van der Vorst took advantage of his stay on the Lower Rhine to obtain possession of the provostships of Bonn and Emmerich which had been granted to him by the Pope. For this he was severely taken to task, not altogether without reason, by Giberti,

<sup>1</sup> De Ram, "Nonciature", p. 60. For this last part of the journey Ettenius is our only source since the report of 7 June is missing.

<sup>2</sup> Report of 16 June, *C.T.*, VOL. IV, p. 125; *ibid.*, p. 123, the receipt of reception of the Bishop of Utrecht, Georg von Egmont. Van der Vorst's address at Lucerne in *Eidgenössische Abschiede*, VOL. IV, 1(c), p. 909.

who happened to be in the Low Countries at the same time. For all that, it was a happy inspiration when the Pope chose for this mission—a mission more juridical than diplomatic—a jurist who spoke the language of the country and who had had experience of the ways of the Curia. It is certain that van der Vorst displayed both circumspection and endurance in the performance of the far too extensive task allotted to him. However, all his exertions were in vain. He was recalled to Rome while at Brussels; at the same time he received information that the Council had not been opened at the appointed date, that it could not be held at Mantua and that in fact it had been postponed until 1 November. What had happened?

The Council of Mantua did not fail to meet because of the brusque refusal of the League of Schmalkalden; nor can the blame be laid on schismatical England, where no invitation to the Council had even been attempted; the failure must be ascribed to the attitude of France. When the first reports of the Rome negotiations reached him, Francis I poured out a torrent of complaints against the Pope, but when the Cardinal of Lorraine explained the true state of affairs he expressed his entire satisfaction.<sup>1</sup> The convocation of Mantua had followed upon his assent, qualified though it was. The Pope firmly maintained a neutrality which greatly favoured France. One might therefore have expected that that country would refrain from further opposition to the plan for the Council. Yet the very opposite happened. As soon as the Pope's representatives, the peace-legate Trivulzio and the ordinary nuncio Carpi, attempted to give effect to the convocation, Francis I reverted to his old tactics, made fair speeches on the need and the usefulness of what he called a "good" Council and protested his devotion to the person of the Pope. But he refused to send envoys to the Council on the plea that neither he himself nor his bishops would be able to put in an appearance at Mantua while the war was on.<sup>2</sup> Yet even now, a full year after the failure of his attempt to get Melanchthon to come to Paris, he had the impudence to utter grandiloquent promises that he would bring about a reunion with the German Protestants and even with Henry VIII. Even the arrival of Cesare de' Nobili as nuncio

<sup>1</sup> Ehses, "Franz I von Frankreich und die Konzilsfrage in den Jahren 1536-39", in *R.Q.*, XII (1898), pp. 306-23; Cardauns, "Paul III", p. 198 f., and the same writer's account in *Q.F.*, XII (1909), p. 189 f.

<sup>2</sup> Extracts from Carpi's reports of 3 July and 5 September 1536, *C.T.*, VOL. IV, p. 109 f. In his despatch of 10 May he reports that the King boasted of his understanding with the German Electors and Henry VIII. In respect of the latter he displayed "un desiderio extremo di haver questo honore di ritornarlo alla obediencia di S.S.<sup>ta</sup>", Vat. Arch., Nunz. di Francia, 1 B, fol. 36<sup>v</sup>.

extraordinary led to no change in the King's determination to boycott the Council. No copy of the Bull of Convocation came into the hands of a single French bishop. When Carpi, who had been raised to the cardinalate in December 1536, came to take leave of the King in the first days of May 1537, the monarch's last words were that for reasons of security Mantua was unacceptable both to himself and to his prelates. When Carpi invited the court-cardinals to the Council, their answer was significant enough; "they would discuss it with the King", they said.<sup>1</sup> Not one of them stirred.

To the complete failure of the convocation in France a further obstacle came to be added at the last moment in Mantua itself. Strange though it seems, no direct official approach had been made to Federigo, Duke of Mantua, either before or after publication of the Bull of Convocation, no doubt under an impression that his brother, Cardinal Ercole, who lived in Rome, would keep him fully informed. As a matter of fact Ercole had announced at once, though in general terms, that Mantua was at the Pope's disposal for the Council, but he had not breathed a word of the fact that as early as 1530, when Mantua was first mentioned as the place of assembly, his brother had made it a condition that none but himself should command the guard of the Council and in fact all armed forces on the spot, and that his expenses should be refunded to him.<sup>2</sup>

As early as the last days of December 1536 the nuncio to Vienna, Morone, had spoken of the pressing need of demonstrating the Pope's determination to hold the Council by some positive preparations at Mantua,<sup>3</sup> yet it was only in the spring of 1537, when the opening date was ominously near, that an attempt was made to settle material details.<sup>4</sup> By a brief dated 15 February the Pope requested the Duke to make arrangements for the reception and the security of the members of the Council.<sup>5</sup> Ercole had expressly warned his brother not to make conditions which he thought would provide the Pope with a welcome pretext

<sup>1</sup> Carpi's report of 3 May 1537, *ibid.*, fols. 98<sup>r</sup>-103<sup>v</sup>.

<sup>2</sup> Letter of an anonymous writer to Francesco Gonzaga, 12 August 1530, St. Arch., Mantua, Busta 2194. The report that Mantua was being considered rested on a letter of the Mantuan agent Bagarotto, 1 August 1530, *ibid.* For Ercole's statement, cf. the letter of 2 August 1536 to Federigo, *C.T.*, VOL. IV, p. cxxxii.

<sup>3</sup> *N.B.*, VOL. I, PT II, p. 93, cf. also p. 131.

<sup>4</sup> The most important documents are, in part, in *N.B.*, VOL. I, PT II, pp. 425-35, and more fully in *C.T.*, VOL. IV, pp. 70 ff., 94 f., 98-104; supplementary matter in A. Casadei, "Trattative per l'apertura del Concilio a Mantova", in *Il Concilio di Trento*, II (1943), pp. 83-105.

<sup>5</sup> *C.T.*, VOL. IV, p. 70 f.

for abandoning the idea of the Council—an action that would annoy the Emperor.<sup>1</sup> In spite of this warning, Federigo's official reply of 24 February was not limited to a promise to provide accommodation and maintenance. While leaving it to the Pope to take the necessary measures for his personal security, the Duke charged his brother to inform the pontiff that in his opinion a guard of from five to six thousand men would be required.

For a moment Paul III thought there must be some misunderstanding. In the consistory he said that he had no thought of asking Federigo to defend the Council against external enemies. He would see to this himself by diplomatic means. When he spoke of security he only meant the maintenance of public order in the city. He wrote to Federigo in this sense on 21 March, announcing at the same time the arrival of a prelate for further negotiations.<sup>2</sup> However, there had been no misunderstanding. In a letter of 24 March addressed to his brother but actually meant for the Pope, Federigo explained with much detail why he demanded so disproportionate an armed force.<sup>3</sup> The city, he said, lacked a citadel which would have facilitated the preservation of internal order. The streets would have to be guarded continuously, but the burghers would not be able to undertake the armed protection of the assembly, as at Constance a century earlier. It was therefore for the Pope to provide a conciliar guard of the required strength.

Cardinal Ercole was so disconcerted by this letter that he kept it back for several days without showing it to the Pope. The letter contained the very thing against which he had warned his brother—a condition which it was hardly possible to fulfil. If the Pope were to maintain so strong a body of armed men, wholly or even partially at his own expense, the freedom of the Council as well as the legality of its decisions might be questioned. Such a condition could not be accepted on any account. When Ercole eventually submitted his brother's letter in the consistory of 9 April, that which he had feared happened. The Pope interpreted the condition as a refusal and declared that the raising of a papal guard for the Council, above all one of such strength, could not be thought of. To this decision he stuck even after Federigo informed him through his secretary Abbadino that he would be satisfied with a hundred

<sup>1</sup> *Ibid.*, p. cxxxiii, Ercole's letter to Federigo, 16 February 1537.

<sup>2</sup> *C.T.*, VOL. IV, p. 94 f.

<sup>3</sup> *Ibid.*, p. 98. There is no proof that Federigo was under the influence of Schmalkalden. I remarked above that the covering letter which went with the document of refusal is dated 26 March.

mounted men and fifteen hundred foot-soldiers; in fact he would be content to start with only a thousand, on condition that he should have the right, should the need arise, to reinforce these troops at his own expense.<sup>1</sup> In the consistory of 18 April it was decided to postpone the Pope's departure for Mantua. Two days later the foreign ambassadors were informed in the presence of the assembled consistory that "on account of difficulties created by the Duke of Mantua", the Council was postponed until 1 November.<sup>2</sup> The Bull *Decet Romanum Pontificem*, of the same date, justified the decision, a most unpleasant one for the Pope—*molestissimum*—by pleading the magnitude of the expenses and the incongruity of "an armed Council". In the Bull, as in the message to the powers,<sup>3</sup> all the blame was laid on the shoulders of Duke Federigo. But was he the real culprit? Or was he merely a scapegoat? Did he not provide the Pope with a convenient pretext for countermanding a Council which had become impossible in any case, and so enable him to exculpate himself before public opinion by laying the blame on another's shoulders?

There can be no doubt that if the Pope had agreed to maintain a guard of the strength suggested by the Duke, he would have provided not only Henry VIII but the League of Schmalkalden also with a pretext for questioning the freedom of the Council. Even some of the members of the Council, in their anxiety for their personal safety, might have entertained serious misgivings. By rejecting the Mantuan's demands the Pope acted in the best interests of the Church. But one may well ask whether the Council would have materialised even if Federigo had not laid down his condition. A number of cardinals doubted the success of the undertaking and warned the Pope against compromising his authority by journeying to Mantua; at the same time the Roman populace were loud in their laments about the impending desolation of the city.<sup>4</sup> Paul III had repeatedly allowed it to become known that he would open the Council even though the war went on and even if the Lutherans refused to attend. But, we may well ask,

<sup>1</sup> Abbadino's instructions of 12 April in *C.T.*, VOL. IV, pp. 102 ff. On the 16th he was in Rome; cf. also Ercole's letter of 17 April to Ferrante Gonzaga, Casadei, in *Il Concilio di Trento*, II (1943), p. 99 f.

<sup>2</sup> Consistorial acts and Bull in *C.T.*, VOL. IV, pp. 104-8, 111 f. One printed copy of the Bull (6 leaves without indication of place of printing) is in Munich, Hauptstaatsarchiv, Staatsverwaltung 2721, fol. 75<sup>r</sup>.

<sup>3</sup> Identical briefs to the Emperor, the Kings of France, Poland, Portugal and Scotland, the Doge of Venice and the Dukes of Lorraine and Savoy, dated 23 April in *C.T.*, VOL. IV, p. 112 f.

<sup>4</sup> Sánchez to Cles, 8 April 1537, St. Arch., Trent, Cles, Mazzo 10.



could he dispense with the concurrence of the French?<sup>1</sup> At the very least it must be admitted that the Duke's condition proved very convenient; it enabled the Pope to circumvent, or at least to put off, a political decision fraught with such far-reaching consequences as was his attitude towards Francis I. On the other hand, the warnings of his closest advisers prevented him from shelving the plan for a Council altogether.

In their reports to Rome both van der Vorst and Morone, Vergerio's successor at the court of Ferdinand I, had repeatedly insisted that unless a General Council took place the collapse of the Catholic resistance in Germany as well as a national Council were inevitable.<sup>2</sup> Aleander also laid great stress on this point in the two memorials on the question of the prorogation which he submitted on 16 April. In the first, in which he supported the postponement to 1 November, he said that on no account must the Bull and the covering briefs allow the determination of the new place to depend on the assent of the princes for in the eyes of the world this would be a postponement, not *ad Calendas Novembris* but *ad Calendas Graecas*.<sup>3</sup> In the second memorial we find this statement: "However loudly we may blame the Duke of Mantua for the postponement, in the opinion of the world the real culprit is the Pope."<sup>4</sup> With a view to avoiding the fatal impression that the Pope sought to avoid a Council Aleander would have wished him to start on that journey which Morone had for so long pressed him to undertake<sup>5</sup> but which was only planned for the beginning of April.<sup>6</sup> The Pope could have awaited at Bologna the arrival of the bishops who were coming to the Council and opened the assembly in that city, after which he might have come to a decision about its eventual translation to some other town. There were strong objections to the opening of the Council in a city of the Papal States, but in the present instance it would have been the lesser evil.

The Pope did not fall in with the views of his adviser. On 29 April

<sup>1</sup> In the above-mentioned letter of 17 April (Casadei, in *Il Concilio di Trento*, II (1943), p. 99) to Ferrante, Ercole Gonzaga enumerates three obstacles, viz. the attitude of Schmalkalden, that of the French, and the impossibility for the members to arrive in time.

<sup>2</sup> Van der Vorst's reports from Zeitz, *C.T.*, VOL. IV, pp. 95 ff.; those of Morone of 17 December 1536, *N.B.*, VOL. I, PT II, pp. 77-84; those of 16 March 1537, *ibid.*, pp. 127 ff.

<sup>3</sup> *N.B.*, VOL. I, PT II, p. 438.

<sup>4</sup> *Ibid.*, p. 440.

<sup>5</sup> *Ibid.*, p. 93.

<sup>6</sup> *C.T.*, VOL. IV, p. 100, brief to Carpi, 3 April.

he despatched the Bishop of Segni to Trent for the purpose of stopping possible arrivals from Germany and informing them of the postponement of the Council.<sup>1</sup> However, the most urgent task of papal diplomacy was to convince the great powers, above all the Emperor, whose suspicions were sufficiently roused already, as well as the Emperor's brother Ferdinand, that the Pope was in earnest with his plan for a Council. The nuncios Guidiccioni and Morone<sup>2</sup> were instructed to protest emphatically that the Pope's decision to hold the Council remained unshaken and that he was resolved to bring it about at any cost (*ad ogni modo*). True, Mantua must be eliminated, not only on account of the above-mentioned condition of the Duke's, but likewise out of consideration for France, which for reasons of security declined both that town and Milan. Out of regard for France the Pope thereafter suggested none but neutral localities; either a city on the Venetian mainland, such as Verona or Padua, or if the Signoria would not hear of these, then papal Bologna or Piacenza, which would be subject to the authority of the Council for the whole period of its duration.

The Pope had evidently come round to Aleander's view that there was no longer any reason to take into account the views of the Protestants as to the choice of a locality; the Catholics alone need be considered. As a matter of fact the Pope was gradually drawing closer to the still more far-reaching view of his adviser, namely that the purpose of the Council was not the return of the Protestants but the preservation of the Catholics and the strengthening of the undecided.<sup>3</sup> The conception of a Council as realised at Trent was gradually gaining ground. Charles V, however, and his brother Ferdinand stuck to their notion of a Council of reunion in which the Protestants would participate: "even the presence of the Elector of Saxony is not out of the question", the Emperor observed in conversation with Guidiccioni. His refusal to bring his authority to bear upon the German Estates in favour of Mantua, a refusal that proved so fatal to the conciliar propaganda of 1535, was justified by him with the familiar argument that he

<sup>1</sup> *Ibid.*, p. 113.

<sup>2</sup> Instructions for Morone, 27 April 1537, *N.B.*, VOL. I, PT II, pp. 152 ff.; those for Giovanni Guidiccioni, 30 April, *C.T.*, VOL. IV, p. 114 f.

<sup>3</sup> "La cosa resta solo da trattarsi da Cattolici," *C.T.*, VOL. IV, p. 114, and almost identical with *N.B.*, VOL. I, PT II, p. 154, and *ibid.*, p. 440, in Aleander's second memorial: "conservandi saltem sunt et consolandi catholici et alii qui titubant confirmandi et stabiliendi". But Aleander overlooked the fact that a Council in German lands was not exclusively a demand of Schmalkalden—it was also a decision of the imperial Diet.

did not wish to drive the Protestants to extremities, that is to revolt and an alliance with France. Even at this stage he still refrained from mentioning a definite locality.

Ferdinand was less reserved.<sup>1</sup> Probably at Cles's suggestion he mentioned Trent as the most suitable place for the Council. He too held out hopes of the presence of the Protestants. "Once the Council is assembled", he told the nuncio, "it will be in a position to issue an invitation to them in the same way as the Council of Basle invited the Hussites. In that case, of course, Bologna and Piacenza are out of the question for they would never consent to set foot on Church territory." Ferdinand I showed that he appreciated the Pope's dilemma in consequence of Francis I's refusal. There was only one way out of the impasse: let the Pope come down on the Emperor's side! Ferdinand's programme was the same as that of his brother in his Roman Easter oration: first joint war against Francis I, then a Council and, if need be, the crushing of the Lutherans by force.

Such a solution, which the Habsburg brothers proposed again and again, viz. the solution of the problem of a Council by the abandonment of neutrality, was unacceptable to the Pope for a number of reasons, many of them inspired by considerations of ecclesiastical policy. Francis I had made no secret of what he would do in the event of the Pope's abandoning his neutrality. He would have gone the way of Henry VIII.<sup>2</sup> A papal alliance with the Emperor would have meant a French schism. So the only thing the Pope could do was to resume negotiations with Francis I for some other place of assembly for the Council. Once again the result was purely negative. The King adopted the standpoint that both the summoning and the postponement of the Council had been decided without his assent, hence he was under no obligation of any kind. Of all this only this much was true: the French envoys had not attended the consistory of 20 April 1537, they may even have been absent from the decisive one of 2 June 1536. Filiberto Ferreri,<sup>3</sup> who had succeeded Carpi as nuncio, very properly countered this argument by pointing out that the mere absence of the envoys for the purpose of showing their opposition was not enough; they should

<sup>1</sup> Morone's report of 16 May 1537, *N.B.*, VOL. I, PT II, pp. 165 ff.

<sup>2</sup> "Senza dubbio la farebbe all' Inglese," Carpi on 12 March 1535, *Vat. Arch.*, *Lettere di principi*, 10, fol. 204<sup>v</sup>.

<sup>3</sup> Ferreri's reports in *Vat. Arch.*, AA 1-XVIII, 6530 orr., and *Nunz. di Francia* 1 A, copies; also Pieper, *Zur Entstehungsgeschichte*, p. 101. Ferreri, a nephew of Cardinal Bonifacio, was eighteen years old when he became administrator of the diocese of Ivrea on 17 May 1518; he was therefore born in 1500. In 1532 he was appointed nuncio to the court of the Duke of Savoy. He died on 14 August 1549.

have lodged a formal protest.<sup>1</sup> With regard to the question of locality, the King suddenly constituted himself the advocate of the Protestant claim that the Council must be held in Germany; he mentioned Basle or Constance and, as an alternative, Lyons. On the other hand he roundly rejected any Italian town, even a Venetian one, inasmuch as it would be beneath his dignity and that of the French prelates to attend a Council under the protection of an imperial safe-conduct. No notice was taken of the nuncio's request for permission to publish the Bull of Postponement. The nuncio extraordinary, Cesare de' Nobili, returned to Rome in the summer of 1537 without having achieved anything in the affair of the Council.<sup>2</sup> When Ferreri expressed his disappointment and commented on the annoyance the Pope was bound to experience,<sup>3</sup> Francis had recourse to his old tactics. He delivered himself of commonplaces about the usefulness of a General Council, but any tangible concession or an opinion on the places suggested by the Pope were carefully withheld. His motives are transparent. If he agreed to a Council in Italy, as proposed by the Pope, he would find himself at loggerheads with his virtual allies in Germany, the confederates of Schmalkalden. There was no risk in airing the latter's views, for he knew that the Pope would never agree to a Council on German soil nor the Emperor to one at Lyons or Turin. In any case he would prevent the assembly of the Council and the consequent strengthening of the Emperor's position. From the political point of view he was right; from the standpoint of religion and the Church his conduct could only cause grievous harm to the latter. Religion and the *raison d'Etat* were once again in irreconcilable opposition.

The attitude of the two paramount powers so incensed the Pope that he let fall a threat that he would proceed against them with ecclesiastical censures.<sup>4</sup> He cannot have meant it seriously. Paul III was convinced that it was the politician's not the hierarch's business to find a way out of the seemingly hopeless situation. The question was how the maintenance of neutrality could be reconciled with the pressing

<sup>1</sup> Report of 29 June 1537, *C.T.*, VOL. IV, p. 129.

<sup>2</sup> Nobili's reports of 16 June, Ferreri's of 20 June 1537, *C.T.*, VOL. IV, p. 130.

<sup>3</sup> Report of 31 July, *C.T.*, VOL. IV, p. 137. How tense the situation was at the time appears from Ferreri's report of 3 August on his conversation with Cardinal de Bourbon at Châlons, Vat. Arch., Nunz. di Francia 1 A, fols. 117<sup>v</sup>-119<sup>v</sup>. Ferreri threatened that the Pope would "pull other strings" against France, to which the cardinal replied with the counter-threat "si potria pensare a mettere in disputa le cose che possiede", whereupon Ferreri said, "But for this we must have a Council."

<sup>4</sup> Report of the French ambassador in Rome, 12 July 1537, Ribier, *Lettres*, VOL. I, p. 41; cf. the simultaneous threats of Ferreri in the preceding note.

need for a Council which, as Supreme Pontiff, he could not shelve. Reports from Germany left no room for hesitation; there was no escape from the alternative: either a General Council or a national one.<sup>1</sup> "If the General Council does not meet," Morone wrote on 16 July,<sup>2</sup> "there will be great upheavals in Germany." The power of the Lutherans was growing steadily. The childless Duke George of Saxony stood on the brink of the grave; no reliance could be placed on the new Elector of Brandenburg, Joachim II. If more ecclesiastical princes yielded to temptation and secularised their dioceses, almost the whole of north Germany would be lost. All the great imperial cities in the south had apostatised; mighty Augsburg was the most recent instance. Something had to be done, and as things were it could only be done by a Council, hence the Pope would not give up his plan for such a gathering. In view of the importance of the decisions that had to be taken the Pope summoned to Rome on 20 June 1537 those cardinals who did not reside in the city.<sup>3</sup> On the advice of the cardinals present in Curia he put off till 1 September<sup>4</sup> the final decision about the locality of the Council. The matter was urgent since the opening was announced for 1 November. In order to attenuate to some extent the bad impression that a further postponement of a decision was bound to create, the Pope caused a report to be spread that he intended to leave for Bologna about that date.<sup>5</sup> Thus it came about that it was only on 29 August that he formally requested the Doge to put one of the cities of the Venetian mainland at the disposal of the Council.<sup>6</sup> After some hesitation, due to bad news from Corfu which was being besieged by the Turks, the Signoria ended by putting Vicenza at the Pope's disposal.<sup>7</sup> The news reached Paul III on 29 September at Ronciglione. He immediately ordered Cardinal Piccolomini to summon a meeting of the cardinals for the next day so that he might inform the Sacred College and concert all necessary measures.<sup>8</sup> Under the impression that a

<sup>1</sup> Morone's reports of 6 and 12 July 1537, *N.B.*, VOL. I, PT II, pp. 186 ff., 188 ff.

<sup>2</sup> *N.B.*, VOL. I, PT II, p. 191 f.

<sup>3</sup> *C.T.*, VOL. IV, p. 125 f., cf. p. 132. The brief addressed to Cles was despatched by Sánchez on 8 July, St. Arch., Trent, Cles, Mazzo 10.

<sup>4</sup> The short notice in the consistorial acts, *C.T.*, VOL. IV, p. 131.

<sup>5</sup> Ribier, *Lettres*, VOL. I, p. 41. Filippo Trivulzio's summons to the Curia by brief of 31 July points in the same direction, *C.T.*, VOL. IV, p. 132 f.

<sup>6</sup> *C.T.*, VOL. IV, p. 134. For what follows, cf. B. Morsolin, "Il Concilio di Vicenza", in *Atti del R. Istituto Veneto*, 6th series, VOL. VII, I (1888-9), pp. 539-87.

<sup>7</sup> Instructions of 25 September, Morsolin, "Il Concilio di Vicenza", p. 583.

<sup>8</sup> Alessandro Farnese to the Maestro di Camera, 29 September, *C.T.*, VOL. IV, p. 134 f. Contarini's letter of 1 October to Ercole Gonzaga shows that the Pope was not at Nepi but at Ronciglione, a Farnese estate, *Q.F.*, II (1899), p. 174.

postponement until 1 January 1538 would suffice, the Pope gave them to understand that he would set out for the north about mid-October. However, the cardinals disapproved of such speed. At the consistory held immediately after the Pope's return to Rome on 8 October it was decided to postpone the opening of the Council for a full six months and to fix the new date for 1 May 1538.<sup>1</sup> On 18 October identical briefs to this effect were despatched to all princes.<sup>2</sup> This was the second postponement of a Council announced three years earlier.

The effect of the delay in Germany was terrible. Vergerio's sombre prophecies were being fulfilled. He himself had not rejoined his post in 1536, not, as Cardinal Cles's Roman agent surmised, because he was regarded as too keen a champion of the Council,<sup>3</sup> but because in consequence of his intrigues he had ended by forfeiting the confidence of Ferdinand I, who until then had been his staunchest supporter.<sup>4</sup> Vergerio's place was taken by Giovanni Morone,<sup>5</sup> the son of the former chancellor of Milan, a young man of only twenty-eight years of age. Paul III was an acute judge of character. This particularity of his enabled him to discern in the young man the uncommon aptitude for diplomacy which was to make of Morone the ablest diplomatist of the Curia within the space of a few years. When his nomination became known it was said: "At last the German nunciature is not being assigned to second and third-rate personalities, to men like Rorario and Pimpinella!" "The greater his modesty," Sánchez wrote to Vienna, "the more worthy he is of honour."<sup>6</sup> Modest he was indeed, even

<sup>1</sup> The consistorial acts and the Bull *Benedictus Deus*, C.T., VOL. IV, pp. 135 ff. The Bull printed by Bladus is in *Catalogo delle edizioni romane di Antonio Blado Asolano* (1891), No. 1182.

<sup>2</sup> C.T., VOL. IV, p. 138 f. Fabio Mignanelli, nuncio at a later date, went to the Emperor while the papal chamberlain Baldassare of Florence went to Francis I.

<sup>3</sup> Jacob Britius to Cles, 7 July 1536, in *A.R.G.*, x (1912), p. 74. On 27 July Britius added that the two "discorsi", viz. the memorials on the Bull, had done him a good deal of harm, *ibid.*, p. 75.

<sup>4</sup> In a letter to Cles, 8 May 1536, Sánchez compared Vergerio to a doctor who has never done treating a wealthy patient, St. Arch., Trent, Cles, Mazzo 10. On 5 June he wrote, "Vergerio cum quodam suo discursu manifeste deterret papam et collegium cardinalium a concilio." If the Pope were less determined to hold the Council it would be put off.

<sup>5</sup> Friedensburg's character-sketch of young Morone in *N.B.*, VOL. I, PT II, pp. 7-18; a final appreciation of his personality and the literature about him will occupy us later. When Morone had acted as nuncio for three years Christoph Scheurl, who appears to have known his father, wrote to Johann Eck on 13 February 1540: "Is in universa aula bene audit, gratus est atque plausibilis, tum regi tum proceribus acceptus, humanitate et eruditione praeditus," *Briefbuch*, VOL. II, p. 233.

<sup>6</sup> Sánchez to Cles, 24 October 1536, St. Arch., Trent, Cles, Mazzo 10.

modesty itself, but this did not mean that he was not an extraordinarily shrewd observer and an accurate reporter. Within a few years no other Italian was more thoroughly acquainted with conditions in Germany. But from the first he was no mere reporter, or at best a mere agent; on the contrary, he was a real diplomatic counsellor, for he was able to see papal policy as a whole, in all its ramifications, while at the same time he had the courage to make a stand for his own views, even when they diverged from the official ones.

Thanks to his diplomatic skill, which was proverbial, Morone experienced no difficulty in justifying the double postponement in the eyes of a man so profoundly devoted to the Church and the Papacy as was Ferdinand, and in obtaining his promise to send his representatives.<sup>1</sup> But what he could not prevent was the sudden collapse of the exaggerated hopes which the German Catholics had at first set on the Farnese Pope. The few proctors who had set out for Mantua in the early summer of 1537 had retraced their steps.<sup>2</sup> Johann Eck, who in 1535 had been the mouthpiece of his countrymen's hopes,<sup>3</sup> now wrote to Aleander in a mood of profound discouragement: "Many people are scandalised when they see the Council gone with the wind."<sup>4</sup> He literally begged for information so as to enable him to keep the princes with whom he corresponded in good humour. Yet in mid-December 1537 he was still ignorant of the second postponement. He felt oppressed by sombre forebodings: "If there is no Council, then woe to England! woe to Denmark, Sweden and Norway! When will the apostasy end?"<sup>5</sup> Matthias Held told the nuncio to his face that by this time not one Catholic prince in Germany believed that a Council would ever take

<sup>1</sup> Statement by Ferdinand, 15 December 1537, *C.T.*, VOL. IV, p. 142, and Morone's report of the same day in *N.B.*, VOL. I, PT II, pp. 241-4.

<sup>2</sup> During the few days that he spent at Trent the Bishop of Segni did not encounter a single visitor from Germany, *C.T.*, VOL. IV, p. 121, but we know that the Franciscan Kaspar Sager had started for the Council as the representative of the Archbishop of Bremen, B. Katterbach in *Franziskanische Studien*, XII (1925), p. 260, where the laudatory brief to the Archbishop dated 13 October already given in *C.T.*, VOL. IV, p. 137 f., is reprinted. Also on the way was the Carmelite provincial Andreas Stoss, son of the sculptor Veit Stoss, in the capacity of proctor of the Bishop of Bamberg, R. Schaffer, *Andreas Stoss, Sohn des Veit Stoss und seine gegenreformatorische Tätigkeit* (Breslau 1926), p. 102. The author, however, overlooks the fact that Scheurl (*Briefbuch*, VOL. II, p. 189) also mentions this mission. Sager went on to Rome, Stoss turned back somewhere between Innsbruck and Trent.

<sup>3</sup> Johann Eck to Paul III on 10 May 1535, *Z.K.G.*, XVI (1896), p. 219 f., but even at this time he was already tortured by the fear that the Council might be postponed; *id.*, to Vergerio on 2 July 1535, *ibid.*, p. 222.

<sup>4</sup> Johann Eck to Aleander, 8 October 1537, *ibid.*, p. 231.

<sup>5</sup> Johann Eck to Aleander, 5 September 1537, *ibid.*, p. 230; 11 December, *ibid.*, p. 232.

place.<sup>1</sup> When Morone begged King Ferdinand to write to some of the prominent princes in order to excuse the postponement he received the crushing reply: "It is useless; they believe me no more than they believe you."<sup>2</sup>

On the other hand the Lutherans were jubilant. Satires and lampoons about the Council sprang up like mushrooms. Luther himself brought out an edition of the first Bull of Convocation with a preface and sarcastic marginal notes.<sup>3</sup> In an essay on the Donation of Constantine he indulged in a particularly vicious attack on the Papacy.<sup>4</sup> In the spring of 1537 Antonius Corvinus in his "Conversation between Pasquillo and a German" (*Unterredung zwischen dem Pasquillen und dem Deutschen*) had described the Council of Mantua as mere bluff<sup>5</sup>; now, in a pamphlet probably printed at Wittenberg under the title of "Beelzebub to the Holy Papal Church" (*Beelzebub an die heilige bepstliche Kirche*), he asserted that all that Paul III aimed at with his plans for Council and reform was to hoax "the kings and the whole world" (*den königen und aller Welt eine nasen drehen*).<sup>6</sup> Henry VIII, in his *Sententia*, which circulated in Germany in pamphlet form,<sup>7</sup> also accused the Pope of fooling the kings with his Council and indulged in cheap jokes about the first postponement on the ground that it summoned the Council to "nowhere".

What was the good of the Roman jurist Antonio Massa and the Dutch divine Albert Pighius refuting the English lampoon in detail? Their tracts were never published.<sup>8</sup> Cochlaeus, who gave proof of a

<sup>1</sup> *N.B.*, VOL. I, PT II, p. 220 (12 October 1537).

<sup>2</sup> *Ibid.*, p. 166 (10 May 1537).

<sup>3</sup> *L.W.*, VOL. I, pp. 92 ff. The preface to J. Kymeus, *Ein altchristliches Konzil zu Gangra gehalten* (*ibid.*, pp. 45 ff.), and the *Karnöffel* satire on pp. 131-4, also attack the Council of Mantua; cf. O. Menzel, "Johannes Kymeus, *Des Bapsts Hercules wider die Deutschen*, Wittenberg 1538", in *Heidelberger Sitzungsberichte philosophisch-historische Klasse*, 1940-1, n.6.

<sup>4</sup> *L.W.*, VOL. I, pp. 65 ff. Morone forwarded this tract and some other German anti-conciliar literature to Rome on 20 August 1537, *N.B.*, VOL. I, PT II, p. 199.

<sup>5</sup> A. Corvinus, *Eine Unterredung zwischen dem Pasquillen und Deutschen von dem zukünftigen concilio zu Mantua* (1537), and a translation of the Latin tract by the same writer: *Pasquilli de concilii Mantuani iudicium* (1537). Description and index of contents in P. Tschackert, *Analecta Corviniana* (Leipzig 1910), pp. 26-30. I too am unable to ascertain what pamphlets van der Vorst forwarded to Ricalcati and Simonetta on 3 January 1537; de Ram, "Nonciature", p. 141. On the *Dialogus* of Urbanus Rhegius, cf. *C.T.*, VOL. XII, p. lxxvi.

<sup>6</sup> Schade, *Satiren*, VOL. II, pp. 102-4.

<sup>7</sup> Reprint in *C.T.*, VOL. XII, pp. 767-74; the passage quoted is on p. 772. The lampoon was distributed gratis at the Frankfurt Fair; for its effect in Germany, see Morone's report of 30 October 1537, *N.B.*, VOL. I, PT II, p. 235.

<sup>8</sup> *C.T.*, VOL. XII, pp. 159-66, 774-810; cf. H. Jedin, *Studien über die Schriftsteller-tätigkeit Albert Pigges* (Münster 1931), pp. 22 ff.



truly touching zeal, published a whole series of tracts on the Council.<sup>1</sup> He even conceived the notion of using the printing press of his nephew Wolrab of Leipzig for publicity purposes on its behalf.<sup>2</sup> However, no one bought his books and before long Wolrab was faced with bankruptcy. Of the "Epistle about the Council" by Bishop Fabri of Vienna, which was printed in Rome,<sup>3</sup> Johann von Kampen said that "it was worthy of a blacksmith".<sup>4</sup>

Venice had placed Vicenza at the Pope's disposal, but many of the nobles shared the opinion of the envoy Soriano, who thought that a Council was the last thing Paul III really wanted. With caustic irony they suggested the Lido for its meeting: there would be plenty of room there!<sup>5</sup> The Gonzagas' Roman agent, a man not entirely free from prejudice, wrote: "Whether Vicenza or any other town is chosen, one thing is certain—no one will come."<sup>6</sup> It would have been difficult to dispel this profound scepticism even if the Pope had taken immediate steps in preparation for the Council and had himself started on his journey as planned. But he did neither. The Curia remained in Rome and it was only on 19 December that Bishop Giberti of Verona and Ugo Rangoni, the conciliar nuncio under Clement VII, were instructed to betake themselves to Vicenza for the purpose of making all necessary arrangements for the reception of the Council.<sup>7</sup> Further measures followed at the beginning of the new year. On 7 January a commission of cardinals was set up to deal with all matters connected with the Council. It consisted of two cardinal-bishops, Cupis and Campeggio, five cardinal-priests, Ghinucci, Simonetta, Carafa, Contarini and Sadoletto, and two cardinal-deacons, Cesarini and Pole.<sup>8</sup> The

<sup>1</sup> Spahn, *Cochlaeus*, bibliography, Nos. 120-4.

<sup>2</sup> Cochlaeus to Ottonello Vida, Vergerio's secretary, 26 July 1536, *Z.K.G.*, xviii (1896), pp. 267 ff.; to Morone, 31 August 1537, *ibid.*, p. 272. In the following year Wolrab actually published Nausea's *Rerum conciliarium libri V* (Leipzig 1538), with a preface addressed to Paul III, dated 1 February 1538.

<sup>3</sup> J. Fabri, *De necessitate et mera utilitate sacrosancti concilii epistola* (Rome 1537), 13 leaves; cf. *C.T.*, vol. xii, p. lxiii f.

<sup>4</sup> Johann von Kampen to Dantiscus, 12 June 1537, in *Zeitschrift für Geschichte Ermlands*, ix (1891), p. 542.

<sup>5</sup> Agnello to Duke Federico of Mantua, 31 August 1537; Morsolin, "Il Concilio di Vicenza", p. 546.

<sup>6</sup> Morsolin, "Il Concilio di Vicenza", p. 552 (20 September 1537).

<sup>7</sup> Brief to Giberti in Raynald, *Annales*, a. 1537, No. 34; also Giberti, *Opera*, ed. Ballerini (Verona 1733), p. xxxiii. Communication to the Doge, 12 December, *C.T.*, vol. iv, p. 141.

<sup>8</sup> *C.T.*, vol. iv, p. 142. On 28 January 1538 Sánchez mentions Cardinal Sanseverino instead of Pole and adds: "Frequenter de illis (rebus) consultant", St. Arch., Trent, Cles, Mazzo 10.

preliminary arrangements were entrusted to the experienced canonist Lorenzo Campeggio. We still possess the list of questions which the latter submitted for discussion by the plenary meeting: the choice of the presidents and officials of the Council, the question as to who had a claim to a vote and how to record it, the handling of the German Protestants and other dissidents.<sup>1</sup> Cardinal Contarini convened a group of theologians for a study of the dogmatic problems<sup>2</sup> and thus made a beginning of that scholarly preparation for the Council on which Bishop Fabri of Vienna had laid so much stress in a memorial handed in by him after the Mantuan convocation.<sup>3</sup> Antonius Bladus, printer to the Apostolic Camera, published Piero da Monte's treatise on the question of authority at the Council written during the Council of Basle, and a little later another work on the Council by the elder Cardinal Jacobazzi, composed during the fifth Lateran Council. Both these books were excellent in their way and full of useful information for the members of the Council, but they were not inspired by the problem of the hour. Bartolomeo Guidiccioni's treatise on the Council written at the Pope's request in the winter of 1535-6 was never printed.<sup>4</sup>

To ensure the presence at Vicenza of at least one patriarch, the Pope, on 3 January, ordered the Latin Patriarch of Alexandria, Cesare Riario, to present himself at the Curia within twenty days. On 4 February the King of Portugal was requested to despatch his bishops with all speed, above all the Infante Cardinal Alfonso whose prestige, it was hoped, would greatly contribute to the restoration of the unity of

<sup>1</sup> Campeggio's *questionnaire* in *C.T.*, VOL. IV, p. 143 f. This and the commission's concluding memorial, *ibid.*, pp. 151-5. I shall return to these important documents in the second Volume, when discussing procedure at the Council.

<sup>2</sup> Contarini to Ercole Gonzaga, 8 February 1538, *Q.F.*, II (1899), p. 188. During the winter of 1536-7 Contarini, while writing his *Summa conciliorum* (printed in his *Opera* (Paris 1571), pp. 546-63), had mastered the whole subject of the Council, Dittrich, *Gasparo Contarini*, pp. 333-40.

<sup>3</sup> Fabri's *Praeparatoria* of 6 July 1536, *C.T.*, VOL. IV, pp. 10-23; on 17 August Sánchez informed Cles that he had presented *Consilia et litteras* to the Pope, St. Arch., Trent, Cles, Mazzo 10; cf. L. Helbling, *Dr Johann Fabri* (Münster 1941), pp. 106-14. Of the activities of the Italian theologians whose convocation the Pope mentions in his *Responsio*, *C.T.*, VOL. IV, pp. 23-6, nothing is known. Fabri's reply of 14 December was forwarded to Rome by Morone on the 17th, *N.B.*, VOL. I, PT II, pp. 77-84; the brief of acknowledgment of 3 January 1537 in *C.T.*, VOL. IV, p. 64 f.

<sup>4</sup> J. Haller, *Piero da Monte* (Rome 1941), p. 25.\* Cristoforo Jacobazzi's edition of his uncle's work on the Council appeared in October 1538. For Fabri's *Epistola*, see above, p. 336, n. 3; for Guidiccioni, V. Schweitzer in *R.Q.*, XX (1906), *Geschichte*, pp. 51 ff., and my paper "Concilio e riforma nel pensiero del Card. B. Guidiccioni", in *Rivista di Storia della Chiesa in Italia*, II (1948), pp. 33-60.

the Church.<sup>1</sup> On 19 February he recalled Cardinal Quiñónez from Naples, where the latter was engaged in the reform of the Poor Clares, on the ground that he was thinking of making an early start (*propediem*) for the Council.<sup>2</sup> A month later, when it had become evident that the Pope would not go to Vicenza in person, three legates were appointed on 20 March.<sup>3</sup> Lorenzo Campeggio, an outstanding personality by reason of his experience and learning, was named president. He was to be assisted by Giacomo Simonetta, a canonist of the Curia, and by Aleander, recently raised to the cardinalate. The latter set out at once for Venice to collect his books and papers. This done he waited at Padua for the arrival of his colleagues.<sup>4</sup> However, Campeggio suffered an attack of gout at Loiano in the neighbourhood of Bologna, so that his progress was slow. Simonetta arrived at the near-by abbey of Praglia by mid-April, but the two legates decided to defer their entry into Vicenza from the first of May to the fourth or one of the following days.<sup>5</sup> Meanwhile the two commissaries, Giberti and Rangoni, had made a number of preparations. At this time Vicenza, "the Garden of Venice", had not yet been adorned with Palladio's buildings, but it was nevertheless a beautiful city and most suitable for the purposes of the Council. From this point of view there was no ground for a translation,<sup>6</sup> but the inhabitants showed little enthusiasm for the honour done to them. The golden stream which such an assembly was expected to direct towards their city seemed to them a long way off. On the initiative of the podestà, Francesco Contarini, the Council of the Hundred appointed a committee for the purpose of commandeering accommodation. However, those deputed twice declined the duty and only accepted after a third election.<sup>7</sup> Their hesitation was prompted

<sup>1</sup> C.T., VOL. IV, p. 149 f. The brief of 31 March 1538 on the same subject in de Castro, *Portugal*, VOL. I, p. 467.

<sup>2</sup> C.T., VOL. IV, p. 151.

<sup>3</sup> *Ibid.*, p. 156 f., brief of 20 March 1538.

<sup>4</sup> *Ibid.*, pp. 157-60, the legates' reports.

<sup>5</sup> According to Morsolin, "Il Concilio di Vicenza", p. 561, the commissaries left Venice on 23 January after expressing the Pope's thanks to the Signoria. Rangoni's first letter from Vicenza is dated 27 January, C.T., VOL. IV, p. 145. In addition to Morsolin's work "Il Concilio di Vicenza", cf. also his "Nuovi particolari sul Concilio di Vicenza", in *Nuovo Archivio Veneto*, IV (1892), pp. 5-28; C. Capasso, "I Legati al Concilio di Vicenza del 1538", *ibid.*, III (1892), pp. 77-116. A. Casadei, "Proposte e trattative per l'apertura e per il trasferimento del Concilio a Ferrara", in *Il Concilio di Trento*, II (1943), pp. 243-71, discusses the plans for the transfer of the Council to Ferrara after the failure of Mantua, plans which were taken up once more at the time of the Tridentine convocation.

<sup>6</sup> Q.F., II (1899), p. 183 (2 January 1538).

<sup>7</sup> The acts in Morsolin, "Il Concilio di Vicenza", pp. 584 ff.

by the not very encouraging reports about the prospects of the assembly which reached them from Venice and even from Rome itself.<sup>1</sup> The papal quartermaster for whom they had repeatedly asked in Rome for the purpose of allocating lodgings failed to arrive. As a matter of fact at the moment there would have been nothing for him to do. At the beginning of February a member of Cardinal Cles' household was seen in the town, looking for a suitable lodging for his master, but he soon vanished. Since then not a single member of the future Council had put in an appearance. Giovanni Ricci of Montepulciano, a large-scale contractor, engaged masons and carpenters for the enlargement of the cathedral chancel in accordance with a suggestion of the commissaries, but the work languished.<sup>2</sup> The papal master of ceremonies Gianbattista of Fermo who arrived on 14 April was recalled on the 24th; there was nothing for him to do at Vicenza. The two commissaries remained alone in the field.

However, one poor refugee turned up on 30 April. This was Bishop John Magnus, whom the Reformation had driven from his archdiocese of Upsala. Of the numerous prelates who were in the habit of spending some time at Venice, not one put in an appearance in spite of the summons of the nuncio Verallo.<sup>3</sup>

This then was the shattering result of the convocation of the Council. There is little doubt that, had he chosen to do so, it would have been an easy thing for the Pope to order two dozen Italian bishops, some abbots and the generals of Orders to proceed to the chosen city; they would have been about as many as were subsequently present at the opening session of the Council of Trent. The Pope took no such action. He was obviously determined to wait for the result of the meeting of the two monarchs at Nice which he had prepared and finally brought about through the exertions of his peace legates Jacobazzi and

<sup>1</sup> What follows is based on Rangoni's reports, *C.T.*, VOL. IV, pp. 150 f., 157, 160, 164 f.

<sup>2</sup> To the total cost of 700 scudi the chapter promised to contribute 200 sc. while the city promised another 100, Morsolin, in *Nuovo Archivio Veneto*, IV (1892), p. 22 f. The 400 sc. contributed by the Pope were paid by the treasurer Giovanni Ricci to the brothers Marangone of Bergamo on 7 April 1538, at Venice, Montepulciano, Bibl. Ricci, VOL. IX, fol. 281.

<sup>3</sup> Aleander to Verallo on 5 May 1538, *C.T.*, VOL. IV, p. 165 f. The city council of Strasbourg claimed to have information from Venice of another kind of "attendance"—that of certain "ladies" of doubtful reputation who were said to have betaken themselves to Vicenza, *Politische Correspondenz*, VOL. II, p. 500 (14 June 1538). There is no support whatever for the report, which is obviously a mischievous invention.

Carpi.<sup>1</sup> He himself was actually on the way to Nice. On 25 April 1538, from Piacenza, he directed the consistory to put off the opening of the Council for an unspecified period on the ground of the non-arrival of the prelates.<sup>2</sup> This was the third postponement, and this time it was made without indication of a time-limit.

The decisive motive for the postponement of the Council was not the non-arrival of the prelates but the forthcoming congress of Nice. Charles V and Francis I were about to lay down arms. The conclusion of peace would remove the chief obstacle to the Council so that there would be a solid prospect of its materialising. But even this hope proved delusive. Thanks to the Pope's mediation, the two monarchs concluded a ten years' truce, but no final peace treaty.<sup>3</sup> The question of the Council was no nearer a solution. In the course of the negotiations Francis I had declared that unless Milan were given up, he could not assent to a Council. At Nice he only laughed when asked for his assent. The Pope made the return journey in company with Charles V. At Genoa he agreed to postpone the opening of the Council of Vicenza until Easter, 6 April 1539. In the consistory of 28 June, in which this decision was taken, he revealed only one reason for this fresh delay, namely the two monarchs' wish to return to their dominions and to give their prelates time to make preparations for the journey.<sup>4</sup> However, the true motive was once more the desire to gain time, or more exactly a desire to await the result of the peace negotiations and to give a chance to the Emperor's policy of conciliation in Germany which, if successful, would immensely facilitate the Council, nay, might even render it superfluous.<sup>5</sup>

The immediate sequel of this fresh delay, the fourth, was the removal even of the modest pledge that the Council would take place,

<sup>1</sup> Pieper, *Zur Entstehungsgeschichte*, p. 13 f.; Pastor, VOL. v, p. 194: Eng. edn., VOL. XI, p. 275. The Emperor's letters to Aguilar show that Cristoforo Jacobazzi had promised that the Pope would see to it that, at the very least, Francis I would not obstruct the Council, *Cal. of St. Pap., Spain*, VOL. v, ii, pp. 424 ff., No. 179 f.

<sup>2</sup> *C.T.*, VOL. IV, p. 161.

<sup>3</sup> Sources and literature for the congress of Nice in Brandi, *Quellen*, p. 268 f.; also Dorez, *La Cour du Pape Paul III* (Paris 1932), pp. 293-300, and besides Pastor's account, VOL. v, pp. 197-205: Eng. edn., VOL. XI, pp. 287 ff., the political valuation in Rassow, *Die Kaiseridee Karls V*, pp. 352-70. For the agreement on the Council, cf. A. Korte, *Die Konzilspolitik Karls V in den Jahren 1538-43* (Halle 1905), pp. 15 ff.; for the preliminary negotiations see *Cal. of St. Pap., Spain*, VOL. v, ii, p. 396 (No. 172); p. 417 (No. 173, report of 4 January 1538).

<sup>4</sup> *C.T.*, VOL. IV, p. 167; also the Bull *Universi populi*, *ibid.*, p. 168.

<sup>5</sup> The "causae propter quas S.D.N. ad praesens prorogat celebrationem Concilii" which were most probably set down in writing only after 20 July, in *C.T.*, VOL. IV, pp. 171 ff.; cf. also the memorial of the year 1542 in *C.T.*, VOL. XII, p. 362 f.

namely the presence of the papal legates in the locality chosen for its celebration. On 12 May the three cardinals, accompanied by no more than five bishops, had made their entry into Vicenza. In compliance with the very definite orders of the Pope they had refrained from any act that could have been interpreted as the opening of the Council.<sup>1</sup> In June Simonetta betook himself to Verona for the purpose of presiding at a general chapter of the Augustinians.<sup>2</sup> At this time too a few visitors to the Council arrived from Germany. They were the proctors of the Archbishop of Mainz.<sup>3</sup> They were in complete ignorance of what had happened, and they came too late. On 7 July letters from Farnese and Ghinucci informed the legates of the latest postponement. They waited for another month, when they received the Bull of Prorogation drawn up in Rome on 2 August but dated 28 June. Its arrival at Vicenza on 9 August put an end to their mission. Campeggio, already a very sick man, and Simonetta returned to Rome, where the former succumbed on 20 July 1539. As for Aleander, he set out for Vienna in order to watch the Habsburg reunion policy. Once again the sceptics on the Rialto and elsewhere had been right, and they were to remain so for some time to come.

It soon became evident that the time-limit of nine months was too short for the purpose for which the postponement had been decided upon. Although the meeting of the monarchs at Aiguesmortes,<sup>4</sup> from 14 to 16 July 1538, took place amid such friendly demonstrations that

<sup>1</sup> According to the legates' report in Capasso, in *Nuovo Archivio Veneto*, III (1892), p. 111, the following made their entrance at the same time: Giberti, Rangoni, Tommaso Campeggio, Vergerio and the Bishop of Rethymo in Crete, who is described as "figlio del quondam Hieronimo Donato", that is probably Filippo Donato, but the latter was Bishop of Canea and is unconnected with Grechetto, cf. Buschbell, *Reformation und Inquisition in Italien*, pp. 36 ff. On 14 May the legates intervened with Farnese on behalf of Vergerio. They prayed him to prolong the time limit for the expedition of the Bull appointing him to the see of Capodistria. Farnese refused to comply with their request on 7 June, *A.R.G.*, x (1912), p. 78 f.

<sup>2</sup> *Analecta Augustiniana*, IX (1921), p. 48 f.; Jedin, *Seripando*, VOL. I, p. 147. On 29 May 1538 Seripando complained to Nausea: "Vincentiae iam ultra mensem sumus . . . concilium celebraturi nec quisquam comparet eorum qui tantas tragoedias excitarunt", *Epp. misc. ad Nauseam libri X* (Basle 1550), p. 225.

<sup>3</sup> *N.B.*, VOL. I, PT III, p. 113 f.

<sup>4</sup> The chief result of Aiguesmortes, the Emperor wrote on 18 July to his sister Maria, was "de nous estre et demourer a toujours vrayes bons freres, allyez et amys", Lanz, *Correspondenz*, VOL. II, p. 286. No one has expounded the political consequences of Nice more competently than L. Cardauns, *Nizza*, pp. 1-123. Capasso, *Paolo III*, VOL. II, pp. 1-91, 167-244, also has abundant documentation. For the negotiations of the League of Schmalkalden with France and England which began in the spring of 1538 but which we are not discussing in detail, John Frederick of Saxony's instructions are important, cf. Mentz, *Johann Friedrich der Grossmütige*, VOL. III, pp. 366-83.

it was described as a family party, the hope of peace was not fulfilled. Both parties were lavish with demonstrations of friendship. Queen Mary of Hungary paid a visit to Compiègne and the Emperor journeyed from Spain to the Netherlands, right across the territory of his opponent—an unheard-of occurrence—but the negotiations about the heart of the quarrel, viz. the duchy of Milan, did not advance one step. It had been arranged at Nice that Milan should be bestowed on the Duke of Orleans, who would marry a daughter of Ferdinand I, but no agreement had been arrived at on the conditions of the surrender. The Emperor now came forward with a fresh proposal which would have brought the houses of Valois and Habsburg even more closely together while preserving strategically irreplaceable Milan for the latter. This was that the Duke of Orleans should marry Charles's daughter Mary and receive the Netherlands, while Milan was to go to Ferdinand's second son, to whom Francis I would give the hand of his daughter Margaret: at the same time the French King would renounce all his claims to the duchy. However, this offer, in itself an attractive one for France, was bound up with so many conditions that Francis I refused to consider it. All this happened in the summer of 1540.

By that time the two monarchs had resumed their old attitude of mutual antagonism. Francis I had refused to join the defensive league against the Turks which the Pope, the Emperor and the Republic of Venice had formed some time before the Nice meeting (8 February 1538) and under the mask of a mediator for peace with the Porte the French King was actually doing his best, through his envoy Cantelmo, to smash this inconvenient alliance which, in point of fact, had already been loosened in consequence of the defeat of the allied fleet at Prevesa on 27 September 1538. The less his negotiations with the Emperor progressed, the more eagerly the King canvassed for allies for the impending conflict. To Venice, which had been compelled to conclude an unfavourable peace with the Porte, he offered his patronage. He also sought to win over as allies against Charles V the Dukes of Ferrara and Mantua, the German Protestants, and even some Catholic princes who were at variance with the Emperor. Before the Protestants—in view of the Emperor's plans for reunion—he posed as an opponent to any concessions by them, while before the Catholics he exhibited himself as a staunch upholder of Catholic principles. His only success was an alliance with Duke William of Cleves, who was on bad terms with the Emperor on account of the succession of Gelderland.

On the other hand Charles was consolidating his hold on Italy.

Filippo Strozzi's terrible end may be regarded as symbolic of the iron determination with which the Emperor was resolved to uphold Spanish rule not only over Naples and Milan, through his viceroys Pedro de Toledo and Alfonso del Vasto, but likewise over the secondary and small states immediately dependent on him. In Germany too he was able to register some decisive successes. While the attempt to attach the Elector John Frederick of Saxony to himself by a formal alliance proved a failure, the treaties of 1541 with Landgrave Philip of Hesse made a breach in the front of the potential enemies of the morrow and secured for him two valuable allies in the approaching conflict with France. But his greatest success was undoubtedly his *rapprochement* with England. Henry VIII had at first sought to prevent an *entente* between the two monarchs by every means in his power,<sup>1</sup> but after its realisation he paid court to both<sup>2</sup> while at the same time taking all necessary defensive measures against an attempt at invasion.<sup>3</sup> The return of the former tensions relieved him of further anxiety; once again he was a courted neutral. He enjoyed that position until the new fronts were set up, when he made overtures to the Emperor, whom he rightly regarded as the stronger of the two.

However, these details about the policies of the great powers have carried us far ahead of our story. For the moment it is enough to say that the peace which at the time of the prorogation of Genoa was thought to be at hand, was not achieved. The next chapter will show that the Emperor's policy of reunion, for the sake of which it had been made, was much slower in getting under way than had been expected. There was little likelihood that the Council would meet at the appointed time. All the same, throughout the second half of 1538, the Pope kept urging those whom it concerned to come to the rendezvous. Shortly before the decision to postpone the assembly, on 22 May 1538, he summoned

<sup>1</sup> The Council played a considerable role in these intrigues. Henry VIII began by announcing through his ambassador with Charles V that he would never accept a papal Council but only one convened by the Emperor, *Cal. of St. Pap., Spain*, VOL. V, ii, p. 500 f. (No. 212). He then demanded a delay and mentioned Cambrai as a suitable locality, *ibid.*, p. 429 f. (No. 182). In April it was reported that he intended to send two divines to Spain for the purpose of justifying his standpoint, *ibid.*, p. 526 (No. 223).

<sup>2</sup> For the proposals which Henry VIII made at this time to the French ambassador Castillon, see the latter's reports of 19 June and 18 July in J. Kaulek, *Correspondance politique de Castillon et de Marillac 1537-1542* (Paris 1885), pp. 61 ff., 70 ff.

<sup>3</sup> The two reports of the French ambassador Marillac dated 15 April 1539 in J. Kaulek, *Corresp. pol.*, pp. 90-3. Ribier, *Lettres*, VOL. I, pp. 437 ff., gives the text of one of the reports. The pact of friendship between the two monarchs, Marillac writes, is "le point principal qui trouble le cerveau de ces gens".



to Rome Miguel de Silva, Bishop of Viseu in Portugal, and on the same day he instructed his nuncio Capodiferro to inform King John that he definitely expected the arrival of the Portuguese prelates. In August he spoke in a similar strain to the Portuguese ambassador.<sup>1</sup> Sadoletto felt that the Pope's good-will justified the highest hopes.<sup>2</sup> But this optimism was without foundation, for while the old obstacles to a Council remained, a fresh one was now added; the fact, namely, that even the Emperor did not desire such an assembly as long as his efforts for reunion were in progress.

In the autumn of 1538 the French government forbade the publication of the Bull of Prorogation and refused to exercise its influence with a view to persuading the German Protestants to attend the Council.<sup>3</sup> When in the spring of 1539 the nuncio Ferreri officially requested the Connétable de Montmorency to urge the French bishops to attend, he was bluntly told that a Council was impossible just then because its composition would have an exclusively Italian character: it was necessary to await the result of the German policy of reunion.<sup>4</sup> To Latino Giovenale, the nuncio extraordinary, the King explained that his reason for rejecting Vicenza was that the German Protestants would never go there, and once again he mentioned Lyons.<sup>5</sup> France's attitude remained unchanged, her game being greatly facilitated by the fact that she was able to lay all the blame on the Emperor.

In Vienna the legate Aleander and the nuncio Fabio Mignanelli,<sup>6</sup> who had replaced Morone, had had the Bull of Postponement printed and distributed according to custom. King Ferdinand had gone so far as to say that the thought of the Council must be kept alive.<sup>7</sup> Yet at this moment a Council did not suit the Habsburg policy. When the nuncio Poggio mentioned the despatch of Spanish prelates to the

<sup>1</sup> *C.T.*, VOL. IV, pp. 166, 174, *n.1*; *Corpo diplomatico Portuquez*, VOL. III, p. 438. The Archbishop of Funchal alone was excused, *C.T.*, VOL. IV, p. 175; de Castro, *Portugal*, VOL. I, p. 473.

<sup>2</sup> *Sadoleti Epp.*; *Opera*, Verona 1737-8, VOL. III, pp. 32 ff.

<sup>3</sup> The brief in Raynald, *Annales*, a. 1538, No. 35; also Ferreri's report of 28 October 1538, *C.T.*, VOL. IV, p. 174 f.

<sup>4</sup> Ferreri's report of 9 May 1539, Vat. Arch. AA 1-XVIII, 6530, fols. 157<sup>r</sup>-159<sup>r</sup>; on 13 June he writes: "lauda (the King) la prorogation del concilio", Nunz. di Francia, 1 A, fols. 198<sup>r</sup>-200<sup>r</sup>.

<sup>5</sup> *N.B.*, VOL. I, PT IV, p. 55; biographical information about Latino Giovenale in Dorez, *La Cour du Pape Paul III*, VOL. I, pp. 115-41.

<sup>6</sup> The briefs of 26 August with Farnese's covering letter of 30 August 1538, in *C.T.*, VOL. IV, p. 173 f.; *N.B.*, VOL. I, PT III, pp. 215, 218. It was at this time that Mignanelli, till then a consistorial advocate and a married man, embraced the clerical state; short biography in *N.B.*, VOL. I, PT IV, pp. 41 ff.

<sup>7</sup> *N.B.*, VOL. I, PT III, p. 198 and *passim*.

Council and requested a definite statement by the Emperor about the date of the opening of the assembly, he was kept waiting for weeks for an answer. We do not know the exact wording of the eventual reply, but it came to this: "At this moment a Council is impossible." The fact was that the Emperor could not send representatives to the Council without finding himself openly at variance with his policy of reunion within the Empire.<sup>1</sup>

As the date for the opening agreed upon at Genoa approached, it became ever more evident that there would be no Council. On the other hand the Pope knew only too well that he alone, and no one else, would be blamed for the failure. He accordingly did his utmost to prevent these suspicions from gathering strength. This explains his appointment on 21 April 1539, that is a fortnight after the expiration of the time-limit, of three new conciliar legates, namely Simonetta, Aleander and the uncle of the French nuncio, Ferreri, who replaced Campeggio, now stricken with mortal illness.<sup>2</sup> On 24 April Cervini informed Ferreri that everywhere prelates were being urged to set out for the Council.<sup>3</sup> However, in view of the negative attitude of the various courts, a consistory of 21 May took the unavoidable decision to postpone the Council, only this time it was not done in the form of a prorogation, but in that of a *suspensio ad beneplacitum*.<sup>4</sup> The Pope chose this formula because he feared, and with good reason, that if he fixed a time-limit which in the end would not be adhered to, he would expose himself to ridicule.<sup>5</sup> The information sent to the legate Aleander, to the effect that the suspension was only for a few months,<sup>6</sup> did not prevent the fact that in Germany the Council was regarded as done with and the blame laid on the Pope. Duke George of Saxony bluntly refused to listen to any further discussion of the subject.<sup>7</sup> The most

<sup>1</sup> Poggio to Pole on 2 May 1539, *N.B.*, VOL. I, PT iv, p. 40.

<sup>2</sup> *C.T.*, VOL. IV, p. 177. Ehses's statement (note 2) that Cardinal Quiñónez had urged the nomination of legates is due to a wrong reading of a passage in Ribier, *Lettres*, VOL. I, p. 445. The order to Aleander to repair to Vicenza (*N.B.*, VOL. I, PT iv, p. 53) was soon revoked.

<sup>3</sup> *C.T.*, VOL. IV, p. 177, *n.3*.

<sup>4</sup> *Ibid.*, p. 178; also Aguilar's despatches of 13 and 19 April and 16 and 19 May 1539, in *Cal. of St. Pap., Spain*, VOL. VI, pp. 140-57 (Nos. 54, 57, 62, 64).

<sup>5</sup> This argument of Aleander's, which Ferdinand also made his own, *N.B.*, VOL. I, PT iv, pp. 100, 110, 130, is more illuminating than the Emperor's opinion, which Cardinal Alessandro Farnese countered with the remark that a fresh prorogation within a determined period would have been preferable, *C.T.*, VOL. IV, p. 180.

<sup>6</sup> *N.B.*, VOL. I, PT iv, p. 87 (3 June 1539).

<sup>7</sup> "Cum Pontifice nihil vellet habere agere" was George's sharp reply to the prelates of his territory on 31 July 1538, *Q.F.*, x (1907), p. 137. In May he had told Morone: "S.S<sup>ta</sup> facendosi o non facendosi pace, doveva procedere al concilio et fare bona reformatione delli ecclesiastici", *N.B.*, VOL. I, PT ii, p. 290.

ardent protagonists of the Catholic cause were profoundly depressed. Cochlaeus sorrowfully asked: "What becomes of our Council?"<sup>1</sup> Eck expressed the general feeling when he wrote to Contarini on 13 March 1540: "People speak ill of the Pope on account of the Council."<sup>2</sup>

After four years of continuous talk and writing on the subject of a Council things had come to a point where people no longer trusted Paul III—the evidence of a fivefold postponement spoke too loudly against him. The Venetians' scorn and Francis I's sarcastic laughter at Nice were symptomatic of the profound distrust of the Pope's real intentions. The Emperor, who had made no mystery of his doubts at the time of Held's mission to Germany in 1536, now saw the Pope as the chief hindrance to a Council: of this fact we have irrefutable evidence.

In his Memoirs<sup>3</sup> Charles grants that at the beginning of his pontificate the Pope had announced his intention to hold a Council from which Clement VII had shrunk; however, with the passage of the years his zeal had cooled so that he ended by adopting the tactics of his predecessors, that is, a policy of fair promises while he put off and postponed the assembly again and again. The Emperor's whole policy for reunion rests on this conviction, from the Respite of Frankfurt to the Diet of Ratisbon. When on 23 April 1540, in order to counter the then impending religious convention, the nuncio Poggio suggested a solution by means of a Council Charles, usually so completely master of his feelings, could not restrain himself: "Do you want to stop me by talk about a Council? I have always wanted it! As far as I am concerned His Holiness may convoke it and open it at any time. I shall attend it and remain there for three, four, nay, six months. Only let him open it! Let him open it!—open it!"<sup>4</sup> The Emperor could hardly betray more clearly what he thought of the Pope's desire for a

<sup>1</sup> *Z.K.G.*, XVIII (1897), p. 295 f. (24 June 1539). On 10 July, that is immediately after the fourth prorogation, Cochlaeus observed that with regard to the Council "altum silentium" prevailed in Germany, *ibid.*, p. 287, and Witzel also wrote at this time (30 August 1538): "Sathan vicit, Sathan triumphat de impedito, neglecto, contempto, irriso concilio", *Epp. misc. ad Nauseam*, p. 229.

<sup>2</sup> *Z.K.G.*, XIX (1899), p. 256 f.; during the whole of the winter Eck had been left without news so that he was unable to satisfy the prelates who turned to him for information, *ibid.*, p. 235. On 9 February 1539 he wrote: "Hic nihil auditur; . . . simplices incipiunt nutare quia facile suadetur eis papam et Romanenses subterfugere causas et iudicium concilii", *N.B.*, VOL. I, PT IV, p. 581 f.

<sup>3</sup> The passage in A. Morel-Fatio, *Historiographie de Charles-Quint* (Paris 1913), p. 256 f.; cf. also the thorough treatment by P. Leturia, "Paolo III e il Concilio di Trento nelle 'Memorie di Carlo V'", in *Civiltà Cattolica*, xcvi, ii (1946), pp. 12-23.

<sup>4</sup> *N.B.*, VOL. I, PT V, p. 194.

Council. Such weighty and widespread feelings cannot be lightly brushed aside. At the very least they must be accounted for. Public opinion might not see beyond the bare fact of the fivefold postponement, but informed persons like the Emperor, Francis I and the leading men of Venice could not avoid doing so. How did it come about that behind the avowed motives for these postponements they suspected others, unavowed ones, and that in spite of the unbroken series of papal gestures in favour of a Council, they did not believe that the Pope really wanted such an assembly? <sup>1</sup>

Our narrative has revealed the points where these doubts arose. After the convocation to Mantua the Pope had made it known, through his nuncios, that the Council would be held even if his efforts to bring about peace between the powers proved unsuccessful. But when war broke out anew, instead of opening the assembly he took advantage of the condition laid down by the Duke of Mantua—which, in point of fact, could scarcely have been accepted—to transfer it to Vicenza, a neutral city in Venetian territory. As the date for the opening drew near, military operations had come to an end and there was a prospect of an agreement between the two monarchs. Instead of presenting the world with a *fait accompli* by inaugurating the Council, the Pope adopted a waiting policy and allowed himself to be won over by the Emperor for the German programme of reunion from which previous experiences had taught him to expect but little good. In the spring of 1539 he finally suspended the Council without indication of a time-limit.

It must be granted that the simplest explanation of this series of facts is the one given in the Emperor's Memoirs. Yet it can hardly be the true one, for it not only charges the memory of a great pontiff with deliberate double-dealing, it also ignores facts and considerations which a contemporary could not weigh with the same impartiality as a historian who views them in the perspective of the centuries. There will always remain an element of uncertainty in any attempt to penetrate more deeply into the motives and ideas of so deep a politician as Paul III. Yet the attempt must be made, if we want to appraise accurately the decisive events.

<sup>1</sup> Besides Ehses and Pastor, Capasso also (*Paolo III*, VOL. I, pp. 382 ff., 663 f.) believes that Paul III was sincere with regard to the Council. The opposite view is upheld in particular by Friedensburg, *N.B.*, VOL. I, PT II, pp. 47 ff., and *Kaiser Karl V und Papst Paul III* (Leipzig 1932), pp. 18 ff. This opinion is shared by Cardauns and by Korte, *Die Konzilspolitik Karls V*, p. 21, at least for the period following the meeting of Nice. In my opinion Leturia points the way to the right solution in the article referred to above, p. 346, n. 3; cf. the latter writer's observations in *Gregorianum*, XXVI (1945), p. 25 f. 40 ff.

There can be no doubt that at the beginning of his pontificate Paul III felt convinced of the need of a Council. During the sombre years preceding his elevation he had acquired the certainty that the Papacy could no longer evade the demand for such a gathering without further loss of prestige. Three solutions of the religious problem presented themselves: forcible subjection, a peaceful understanding, a Council. The first, in view of the power of the League of Schmalkalden, was fraught with grave risks; the second was by no means promising on account of Luther's obstinacy; the third alone—the conciliar solution—would be generally accepted while it might at the same time constitute a basis for future forcible measures against the rebels. That was why the new Pope judged a Council necessary. It was only as the years went by that he came to regard it as a necessary evil. In the course of the protracted negotiations on the subject the deep gap between his conception of a Council and the views of the Emperor and of many people beyond the Alps became evident, as did the risks involved in such an assembly.

After the Diet of Schmalkalden the Pope and his advisers became reconciled to the idea of holding a Council without the Protestants. In the Emperor's opinion the Council would only have a political significance if it succeeded in attracting the dissidents or, if they refused to appear at it, in putting them in the wrong in such a way that their condemnation could not be questioned and would meet with the approval of public opinion. This train of thought of the Emperor's was responsible not only for the endless difficulties in solving the problem of the locality of the Council but likewise for the grave difference about procedure to be observed at the assembly itself.

At the Curia it was felt that the condemnation of the heresies by the Council could be effected expeditiously enough. Since Luther's teaching merely revived heresies condemned long ago, all that was needed was to fulminate against him the condemnatory canons of earlier Councils. Great, therefore, was the surprise when Bishop Fabri of Vienna announced that prior to a discussion with the Protestants an extensive technical preparation was indispensable.<sup>1</sup> This included the

<sup>1</sup> *C.T.*, VOL. IV, pp. 10-26, see above, p. 337, *n.* 3; Campeggio's observations in *C.T.*, VOL. IV, p. 144, notes 10-12. The Franciscan Peter Crabbe was by this time engaged in a revision of the third edition of J. Merlin's *Quattuor conciliorum generalium* (on 12 August 1536 he sends corrections for Volume I to Nausea, *Epp. misc. ad Nauseam*, p. 179). The new edition was published in the autumn of 1538 by Peter Quentel at Cologne, cf. H. Quentin, *Les grandes collections conciliaires* (Paris 1900), p. 11 f.

purchase of five or six copies of all the books of their opponents and the drawing-up by a committee of theologians appointed by the Pope of a complete list of the errors they contained. This committee would sort out the old, previously condemned errors, from the new ones. The next step was an amended text of the Bible. Moreover, from fifty to a hundred copies of Merlin's *Collections of the Acts of the Councils* should be provided; these Acts should be completed by the purchase of manuscripts. A library should be provided for the benefit of the Council, containing all the works of the Fathers published within the last twenty years, as well as a printing press. Fabri's proposals were based on the assumption that there would be difficult and protracted discussions with the Protestants in which the new, positive theology would be on trial by the side of scholastic theology and would even be preferred to it. Nothing was further from the Pope's mind than a theological duel of this kind which might protract the Council for years while he was only prepared to devote a few months to it. The fact was that the Pope thought that the Council's second task, viz. the reform of the Church, was a comparatively simple affair. When we come to discuss his attempts at a reform of the Curia it will be seen that the precise purpose of his enactments against certain abuses among the Roman clergy and the officials of the Curia was to eliminate from the conciliar programme the most delicate point of the reform, the *reformatio in capite*. He was not afraid of the *reformatio in membris*. For the imperialists the *reformatio in capite et membris* was one of the essential tasks of the Council since it would do away with the grounds for the reformers' criticism of the Church and remove the *gravamina* against the Roman Curia and the abuses among the higher and lower clergy of Germany which were becoming more grievous with every passing year. The bitter complaints against clergy and hierarchy of such sincere Catholics as Ferdinand I and George of Saxony enable us to estimate the gigantic effort that reform would demand from the Council. Above all there came from beyond the Alps a unanimous demand for a reform of the Curia. In a memorial of 1536<sup>1</sup> we read: "The Germans are not the only people who desire to restrict the Roman Church; the King of England also and many other princes, cities and nations seek to lower her and to secure advantages for themselves." With a sharpness all the more pitiless because it was courteous in tone, Guerrero, the president of the royal chamber of Naples, criticised the Curia's system of dispensations which had made it possible for a single Spanish curial

<sup>1</sup> N.B., VOL. I, PT II, p. 423.

official to hold one hundred and thirty benefices and to leave a fortune of 130,000 ducats at his death.<sup>1</sup> The French clergy's discontent with the wholesale bestowal of dioceses, abbeys and other benefices upon Italian cardinals and their familiars was well known and the complaint of the French bishops about the ordination in Rome of unworthy subjects<sup>2</sup> were not by any means the heaviest of the Gallican grievances.

What might not be expected from a Council at which all these hostile voices would blend in a single chorus of protests against Rome? On the basis of his observations in Spain, France and Flanders, Cervini wrote: "Unless we make haste to reform ourselves spontaneously reform will be forced upon us."<sup>3</sup> He was convinced that the Council would endeavour to enforce a reform of the Curia; at any rate it would seek to tie the Pope's hands with regard to the execution of reform decrees. The ideas of Constance and Basle were not yet dead. Luther's recent dictum<sup>4</sup> that effective reform was impossible as long as the Pope was not subjected to a Council and to the statutes of the Fathers found more secret than open adherents in the Catholic camp.<sup>5</sup> The importance attached to the fifteenth-century reform Councils in Germany may be gathered from the fact that Fabri declared with complete ingenuousness that the Acts of these Councils were indispensable for the conduct of the new Council,<sup>6</sup> as well as from the circumstance that the German bishops took it for granted that their representatives would enjoy full rights at the Council on the model of Basle,<sup>7</sup> while the Diet of Ratisbon did not hesitate to appeal to the decree *Frequens*.<sup>8</sup> Cardinal Erhard von der Mark of Liège warned the Pope in so many words not to risk a diminution of his authority by convoking a Council.<sup>9</sup> Cardinal Campeggio raised the question whether they should go back to the voting system of Constance, by nations, and whether scholars should be given a vote.<sup>10</sup> Earnest and convinced Catholics, not heretics, were

<sup>1</sup> C.T., VOL. XII, p. lx.

<sup>2</sup> N.B., VOL. I, PT v, p. 76. In February 1538 Cardinal Tournon warned Ferreri against calling a Council without the French, "il che quando accadasse, dice non si vorria trovar vivo, accennando che in questo regno si fariano cose inaudite", Vat. Arch., Nunz. di Francia, 1 A, fol. 156<sup>v</sup> (25 February 1538).

<sup>3</sup> N.B., VOL. I, PT v, p. 98.

<sup>4</sup> L.W., VOL. I, p. 516.

<sup>5</sup> Among these secret opponents I count Ugoni and his sympathisers of the school of Decius.

<sup>6</sup> C.T., VOL. IV, p. 17 (n.49); *ibid.*, p. 25 (n.48) the rejection by the Pope.

<sup>7</sup> E.g. the provincial synod of Salzburg of 1537, Dalham, *Concilia Salisburgensia* (Augsburg 1788), p. 298 f.; the Bohemians, N.B., VOL. I, PT ii, p. 443.

<sup>8</sup> C.T., VOL. IV, p. 198, n.2.

<sup>9</sup> *Ibid.*, p. 122 f.

<sup>10</sup> *Ibid.*, p. 143 f. (n.6 and n.9).

of opinion that the Council would be useless and even harmful unless its decrees were insured against infringement by papal directives, viz. papal dispensations.<sup>1</sup> Even so pronounced an opponent of conciliar theory as the great Francisco de Vitoria was looking for ways and means to safeguard the future Council's decrees against the Curia's policy of dispensations.<sup>2</sup> As a matter of fact, in a memorial on the reform of the Church drawn up for his information by his most trusted advisers, the Pope had to read the terrible accusation that the curial teaching about the Pope's will being law was the Trojan horse out of which had come all the evils of the Church.<sup>3</sup>

The Pope was not merely having bad dreams when he saw these dangers. Hence his determination to hold the Council in Italy, where his personal presence and that of a great number of Italian bishops would more easily curb hostility to the Curia. For this reason too he entertained the idea of transferring the Council to Bologna or to some other town of the Papal States where he would be able, if not to thwart, at least to restrain the designs of people beyond the Alps and the influence of foreign powers. But even so a Council remained a risk. He had to ask himself seriously whether his hand would be strong enough to steer the ship firmly on the high seas or whether there was reason to fear that the tiller would slip from his hands.

The Emperor was the foreign helmsman whom the Pope feared the most. French diplomacy skilfully kept alive in his mind the fear of imperial "monarchy", that is, world-dominion, but that fear only became really overwhelming after the encounter of the two monarchs at Aiguesmortes. If a Council had been held at that time it would have been almost inevitably an "imperial" one. France could no longer be regarded as a real counterpoise. If a man like Charles V were to appear at the Council in the capacity of "Defender of the Church"—and a notion of this kind was an essential element of Charles's conception of the imperial dignity—he would have played a very different role from that of the Emperor Sigismund at Constance and Basle. There was no genuine mutual trust between the two heads; on the contrary, the Pope was suspicious because he had been excluded from the peace negotiations. He was also extremely annoyed because all this time the Emperor was condoning his daughter Margaret's resistance to her husband Ottavio Farnese. He accused Charles of

<sup>1</sup> *N.B.*, VOL. I, PT II, p. 422.

<sup>2</sup> *Relectio IV* held in 1534; cf. V. Beltrán de Heredia, *Los mss. del Maestro F. de Vitoria* (Madrid 1928), p. 139 f. I shall revert to this most important matter.

<sup>3</sup> *C.T.*, VOL. XII, p. 135.



deliberately putting off the war against the Turks and even went so far as to say to the Venetian envoy: "The King of France has the interests of Christendom far more at heart than the Emperor." He seemed to breathe more freely when towards the end of 1540 a grave illness of Charles promised an early end of the awful oppression under which Rome laboured.<sup>1</sup> It is easy to understand that in these circumstances the Pope was unwilling to weaken his position through a Council and at the same time to strengthen that of the Emperor. It was this that led him to fall in with Charles's schemes for reunion, for thus he would at least gain time. He had no faith in a lasting peace between the two monarchs. He felt convinced, and with good reason, that Charles would never give up Milan. The new alignment of the powers that would then ensue was bound to improve his own position.

Paul III accordingly did not drop his plan for a Council in 1539, he merely put it off. He did so all the more willingly as the hope of taking strong measures against Henry VIII with the help of a Council was vanishing. As we have seen above, at the time of the Mantuan convocation some such action appeared to the Pope as one of the most important tasks of the future Council. On the basis of Carpi's reports from France it was thought in Rome at the close of 1536 that the Pilgrimage of Grace in the North of England would develop into a general rising of the Catholics against the King. Reginald Pole, Henry's cousin, for whom the King nursed a deadly hatred, was named cardinal legate for England.<sup>2</sup> By the time Pole reached Paris on 10 April 1537 the rising had been crushed. Francis I refused to receive the legate and ordered him to quit French territory. Even Pole's companion, Giberti, the determined exponent of Clement VII's francophil policy, failed to persuade the King to alter this decision in the course of a private interview at Hesdin. France's attitude led the Emperor to take corresponding measures. Pole was forced to leave imperial territory and to withdraw to ecclesiastical territory, viz. to Liège. After waiting there until the summer, he returned to Italy without having achieved anything. His first legation had proved a complete fiasco.

The armistice of Nice opened fresh prospects for the resumption of

<sup>1</sup> The best information on this mood of the Pope is derived from the despatches of the French envoys Grignan and Monluc, Ribier, *Lettres*, VOL. I, pp. 442 ff., 451, 557.

<sup>2</sup> G. M. Monti, *Studi sulla riforma cattolica e sul papato nei secoli XVI-XVII* (Trani 1941), pp. 3-20; the cardinal's letters in *Epp. Poli*, ed. Quirini, VOL. II, pp. 33-90. The declaration of the Anglican synod of Canterbury, 20 July 1536, against the Council of Mantua, in Wilkins, *Concilia Magnae Britanniae et Hiberniae* (London 1737), VOL. III, p. 808 f. Cf. also H. Boone, "L'infructueuse ambassade du Cardinal Pole", in *Mémoires de la société d'émulation de Cambrai*, LXXXV (1937), pp. 213-49.

the struggle against Henry VIII. It would seem that at this time the two monarchs led the Pope to think that they would lay an embargo on England's trade, on condition that he published the Bull of Excommunication which had been kept back for three years.<sup>1</sup> This was done on 17 December 1538. However, both Charles V and Francis I had long before pledged themselves to Henry VIII not to assent to any hostile measures that a future Council might take against him.<sup>2</sup> The Emperor refused to boycott English trade on the ground that it would injure the prosperity of the Netherlands, while Francis I made his action dependent on that of the Emperor; in this way nothing whatever happened. The Bull of Excommunication was not published in England. Pole, who had been named legate a second time, encountered the same obstacles as in 1537.<sup>3</sup> Henry VIII's fear that the Pope would rally the forces of Christendom against him was therefore without foundation.<sup>4</sup> Without in any way abating his hostility towards the Papacy,<sup>5</sup> Henry made a move back towards Catholicism when he compelled the clergy to subscribe to the Six Articles. He also destroyed the leaders of the Protestant party, Cromwell and Cranmer, broke off negotiations with the Schmalkaldic League and made overtures to Charles V.<sup>6</sup> In this

<sup>1</sup> I can find no certain proof of a firm guarantee. That discussions took place in the autumn of 1538 at the French court on the question of the Council, England, and the Lutherans—the grouping is highly significant—appears from Ferreri's reports, e.g., 22 October, Vat. Arch., AA, I-XVIII, 6538, fols. 91<sup>r</sup>-94<sup>v</sup>. The Bull of Excommunication in *Bullarium Romanum*, VOL. VI, pp. 203 ff.; cf. Pastor, VOL. V, p. 686 f.: Eng. edn., VOL. XII, p. 468 f.

<sup>2</sup> Carpi's reports of 24 February and 2 March 1538, Vat. Arch., AA I-XVIII, 6538, fols. 9<sup>v</sup>, 14<sup>r</sup>. When Henry VIII pressed Francis I to make his assent to the Council dependent on that of England and to make it one of the clauses of the peace treaty, the French King demanded in return such heavy subsidies that no agreement was come to, Kaulek, *Corresp. pol.*, p. 71. For Charles V's rather vague assurances to London, cf. *Cal. of St. Pap., Spain*, VOL. V, II, p. 429 (No. 182); a written guarantee was flatly refused, *ibid.*, VOL. VI, I, p. 3 (No. 2).

<sup>3</sup> Pole's instructions and Farnese's reports from the imperial court in Quirini, *Epp. Poli*, VOL. II, pp. cclxxix ff.; *ibid.*, VOL. II, pp. 146-64, Pole's letters from Carpentras, where he had found a refuge with Sadoleto in the same way as during his first legation at Liège. Most of them are addressed to Contarini. On the Pope's complaints about the failure of the legation, cf. Aguilar's report of 10 August 1539, *Cal. of Letters*, VOL. XIV, II, p. 8 (No. 32).

<sup>4</sup> Marillac's reports from London, 20 May and 9 June 1539, Kaulek, *Corresp. pol.*, pp. 98, 102; Ribier, *Lettres*, VOL. I, pp. 401 ff.

<sup>5</sup> At the beginning of June 1539 Henry VIII staged a warlike display in London in the course of which a royal galley beat a papal one whose crew, wearing the papal arms, were thrown into the river, Ribier, *Lettres*, VOL. I, p. 465; Kaulek, *Corresp. pol.*, p. 105.

<sup>6</sup> Pruser, *England und die Schmalkaldener 1535-40* (Leipzig 1929), pp. 176 ff. The Six Articles (the Real Presence, *Communio sub una specie*, clerical celibacy, monastic vows, private Masses, auricular confession) in Wilkins, *Concilia Magnae Britanniae et Hiberniae*, VOL. III, p. 845 f.

way the execution of the Bull against him dropped out of the programme of the future Council and one of the main reasons for promoting it vanished.

We may sum up the result of our survey in this way: in the course of the first five years of his pontificate Paul III was not unfaithful to his initial conviction of the need of a Council, but he never made up his mind to hold it at all costs. We may reproach him with avoiding, instead of overcoming, the obstacles that stood in the way of such an assembly during the first three years of his pontificate and for sticking too obstinately to his conception of a Council as a measure of preservation. Such a conception failed to meet the requirements of the time, with the result that those partners in the negotiations who did not share his views came to the conclusion that he did not want a Council at all. Even after 1538 his conciliar policy cannot be accused of double-dealing: it was more like a double track policy played with virtuosity, whose only fault was that it was no more than a policy! "He who conducts God's business must not be exclusively actuated by human considerations."<sup>1</sup> In these words Morone expressed the ultimate reason why we cannot but blame Paul III's conciliar policy during the first period of his pontificate.

<sup>1</sup> *N.B.*, VOL. I, PT V, p. 155.

## The Dream of an Understanding and the Reality of the Differences

THE Emperor's policy of an understanding which he pursued during the years 1539-41 owed its origin to a proposal made by the young Elector Joachim II of Brandenburg to King Ferdinand I in May 1538 at Bautzen.<sup>1</sup> "The Protestants", Joachim explained, "will never send their representatives to the Council. They will be condemned, therefore, in their absence; they will accordingly offer armed resistance to the execution of its decisions; this means the dreaded war of religion. Should not yet another effort be made before the Council to bring about a friendly understanding with them—of course with the co-operation of papal commissaries?"

Naturally enough Ferdinand hailed the proposal with delight. It held out the prospect of obtaining from the Protestants sorely needed help for the Turkish war. Even Morone did not reject the idea offhand, but he thought that, lest the affair of the Council should suffer, the negotiations for reunion should be taken to Vicenza when the Catholic negotiators would receive their commission from the Council on the lines adopted at Basle in the negotiations with the Hussites. The Emperor, however, took up the proposal in its original form, won over the Pope at Genoa and thus sealed the fate of the Council of Vicenza. He was favoured by the circumstance that a considerable number of princes of the Empire, among them four out of the seven Electors, supported his plan.

How was it possible for so many thoughtful men to dream the dream of an understanding as late as the year 1538?

We are acquainted with the Emperor's motives. He was anxious to have behind him a religiously united empire during the impending

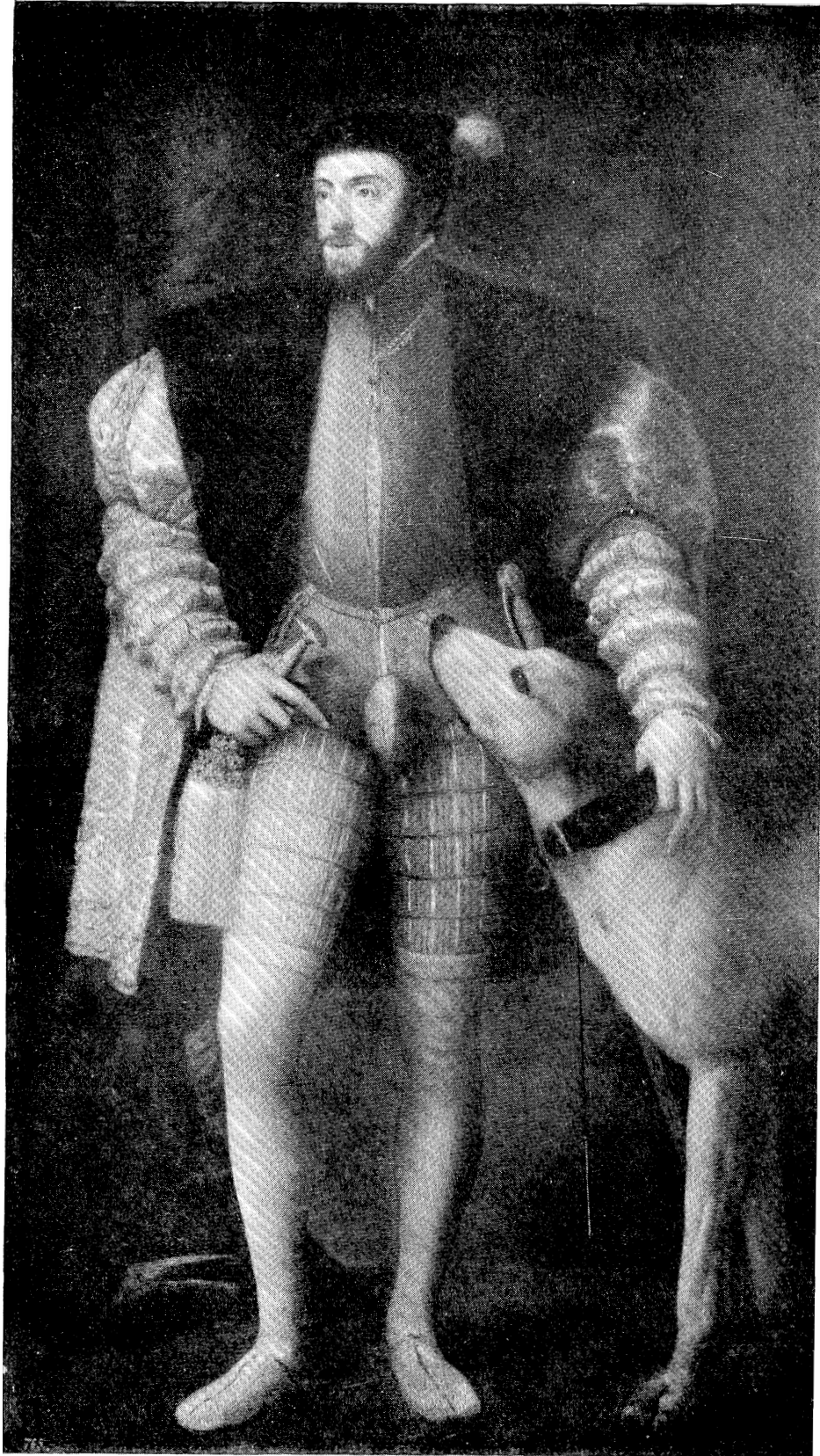
<sup>1</sup> Ferdinand's letter of 3 June, which arrived at Genoa on 24 June 1538, in *N.B.*, VOL. I, PT iv, pp. 445-8. Morone's report from Breslau, *N.B.*, VOL. I, PT ii, pp. 293-6. On Joachim's activity as a mediator, cf. G. Droysen, *Geschichte der preussischen Politik*, VOL. II, ii (Leipzig 1870), pp. 167-97; H. Landwehr, "Joachims II Stellung zur Konzilsfrage", in *Forschungen zur brandenburg-preussischen Geschichte*, VI (1893), pp. 529-60; also the dissertation of F. Meine, *Die vermittelnde Stellung Joachims II von Brandenburg zu den politischen und religiösen Parteien seiner Zeit* (Rostock 1898).

conflict with France. This was also the wish of the Electors who favoured reunion, but for a very different and even contrary reason. The Rhenish Electors, with the exception of the Elector of Mainz, gave their approval to Joachim's proposal in the summer of 1538 from fear of the ominous preponderance of the Emperor. War against Schmalkalden, they thought, would mean, if not the end, at least an irreparable curtailment of the liberty of all, even that of the Catholic princes of the Empire. So they supported the Emperor's policy of reunion in the hope of keeping the imperial power in check. An internal German accord promised to remove the fatal division of the German territorial powers into confessional federations, viz. those of Schmalkalden and Nuremberg, and to create a counterpoise to the power of the Habsburgs.

To this political consideration another, of a religious character, came to be added by many Catholics and by such as continued to shrink from the idea of a final religious cleavage. This was the threat of utter ruin for Catholicism as a result of the boundless confusion in the affairs of the Church in Germany. No one was more obviously inspired by this consideration than Duke George of Saxony.<sup>1</sup> His personal loyalty to the Church was unswerving, but his territory, Albertine Saxony, immediately adjoined the land that gave birth to the schism, Ernestine Saxony, with which it had sundry close relations. It was easy for those of his subjects who had leanings towards the new religion to hear the new doctrine preached in the neighbouring Protestant localities and to receive the sacraments, above all Communion in both kinds, for which many layfolk felt a keen desire. Wholesale expulsions of Lutherans proved useless and dangerous. The clergy, especially the regular clergy, left much to be desired. A visitation of the monasteries, which Duke George carried out through secular councillors, was uncanonical. It met with violent opposition and could not lead to reform from within. The monasteries gradually emptied for lack of fresh recruits, just as there were hardly any aspirants to the secular priesthood. It is easy to see how the Duke arrived at the conclusion that something had to be done to save his territory from a wholesale change over to Protestantism. This was bound to happen as soon as his brother Henry, an avowed Protestant, should succeed him.

For this reason, as early as April 1534, Duke George had made

<sup>1</sup> L. Cardauns, "Zur kirchenpolitischen Haltung Georgs von Sachsen", in *Q.F.*, x (1907), pp. 101-51. The memorial of the ducal councillors of 3 April 1539 is of particular interest, *ibid.*, pp. 144-51.



CHARLES V WITH A DOG

*After the painting by Titian in the Museo del Prado, Madrid*

arrangements for a religious conference at Leipzig, at which his councillors Carlowitz and Pflug had had a friendly discussion about the possibility of reunion with representatives of the Electors of Saxony and Mainz.<sup>1</sup> Though the meeting yielded no tangible result owing to the impossibility of arriving at an agreement on the doctrine of the sacrifice of the Mass, the attempt was repeated in January 1539, this time without the Elector of Mainz but with the participation of Philip of Hesse.<sup>2</sup> Once again nothing was achieved. The representatives of the Elector of Saxony, Melancthon and Chancellor Brück, left the meeting after a few days. Both conferences had the approval of Duke George. Though personally averse to any concession to Lutheranism the Duke thought it would be in the interest of the Catholic cause to give free play to the councillors' efforts for reunion. Thus even the most faithful of the faithful had not completely shaken off the fatal delusion that there was no real schism! Is it any wonder then if Joachim II, who had become acquainted with Luther's teaching through his mother, still believed that it was possible to steer a middle course between the two parties—to be neither a "Papist" nor a Lutheran, and yet to remain a Catholic? In the Church-order<sup>3</sup> which he issued in 1540 for the Marches, until a General Council, a national assembly or a religious conference should decide otherwise, he obstinately stuck to the Lutheran formula of salvation by faith alone and together with the Canon of the Mass rejected its sacrificial character, while for the rest he retained many Catholic practices and the Catholic liturgy, as for instance, the feast of Corpus Christi, five feasts of Our Lady, and several feasts of Saints. With this Church-order he introduced Protestantism into Brandenburg, but this did not prevent him from reverently attending Mass during the Diet of Ratisbon in 1541 and from sending representatives to the Council of Trent ten years later.

Luther himself did not share the great delusion. At no time did he take part in a religious discussion with the Catholics and he sharply rejected every attempt to obscure the doctrinal differences for the sake of an accord. He likewise saw the danger for himself of the attitude of the "expectants", that is, the numerous Catholics and Protestants who

<sup>1</sup> The chief source is the report of 3 May 1534 to the Saxon Elector, *Corp. Ref.*, vol. II, pp. 722-7; Paulus, *Dominikaner*, p. 217 f.

<sup>2</sup> L. Cardauns, *Bestrebungen*, pp. 1-31; Bucer's report of 2 January in M. Lenz, *Briefwechsel Landgraf Philipps von Hessen mit Bucer*, vol. I (Leipzig 1880), pp. 63-8.

<sup>3</sup> Sehling, *Kirchenanordnungen*, vol. III, pp. 39-90; J. Sonneck, *Die Beibehaltung katholischer Formen in der Reformation Joachims II von Brandenburg und ihre allmähliche Beseitigung* (Dissertation, Rostock 1903).

hoped for a decision of the religious dispute by a Council.<sup>1</sup> When the latter declared: "So long as the Council has not spoken we continue in the old faith", they submitted to the authority of the universal Church.<sup>2</sup> A timely conciliar sentence against Luther would have saved most of them for the Church. This is why Morone, Fabri and all those who were acquainted with the situation in Germany repeatedly urged the convocation of such an assembly.

One thing, however, is certain: the "expectants" were no partisans of a policy of agreement based on a compromise<sup>3</sup>; they were partisans of a Council. They only welcomed and supported the former policy when fifteen years of efforts to bring about such an assembly had proved fruitless. Like the partisans of the policy of reunion the "expectants" were on the look-out for a programme of union that would provide a basis for the reunion they aimed at. Such a programme was actually in existence: its author was none other than Erasmus. This is our third encounter with the leader of humanism, whom public opinion in the first years of the schism had closely linked with Luther and whose ideas had been operative during the Augsburg attempt to achieve reunion. Now, in the era of the imperial policy of reconciliation, we meet him again on the road to a Council.

In the famous controversy about the freedom of the will Erasmus definitely parted company with Luther in 1524. In 1529 the introduction of the Reformation at Basle forced him to leave his second home. In 1533, at Freiburg im Breisgau, where he found asylum in the last years of his life, he published his book on the restoration of ecclesiastical concord<sup>4</sup> which may fitly be described as his testament, for it only affected the course of universal history after his death (12 July 1536).

In this book Erasmus places himself above the religious parties. He impartially laments the radicalism which caused the innovators to

<sup>1</sup> Grouping of Luther's and other theologians' statements in L. Pastor, *Die kirchlichen Reunionsbestrebungen während der Regierung Karls V* (Freiburg 1879), pp. 115-20.

<sup>2</sup> The standpoint of the "expectants" is best formulated by Simon Pistoris in a letter of 27 June 1530 to Erasmus (*Opus Epistolarum Desiderii Erasmi Roterodami*, ed. Allen, Oxford 1906-47, vol. VIII, p. 460): "Multi herent in eo quod quamvis sentiant pleraque amplectenda (scil. Lutheranorum), attamen non liceat absque universalis concilii auctoritate et assensu a patrum institutis discedere, etiam si Sedis Apostolicae auctoritas accederet."

<sup>3</sup> It seems to me that Pastor has not taken this circumstance sufficiently into account, *Reunionsbestrebungen*, pp. 115 ff.

<sup>4</sup> *De sarcienda ecclesiae concordia*, *Opera*, vol. v, pp. 469-506; I use the edition in *Fasciculus rerum expet. ac fug.* (Cologne 1535), pp. ccxxix ff. For what follows cf. also R. Stupperich, *Der Humanismus und die Wiedervereinigung der Konfessionen* (Leipzig 1936).



do away with ancient ecclesiastical institutions, the paradoxes in which Luther occasionally indulged and the excessive keenness of the theological zealots who were always ready to shout "heresy!" Cochlaeus was quite right when he observed<sup>1</sup> that materially, that is in detail, the book on reunion treats the Catholic side much more favourably than the Protestant. It defends good works as necessary for salvation, as well as the Mass and the intercession of the Saints against the destructive fury of the opponents. Not a few of the suggested reforms in the liturgical and disciplinary sphere were carried into effect in the course of the ensuing decades and centuries, while others were at least within the range of possibility. Erasmus's great mistake was that he persisted in regarding the Reformation only as a reform of the Church, regrettably violent yet still a reform which was only widened and deepened until it became a schism through the obstinate dogmatism of the theologians on both sides. In his opinion the ultimate cause of all the religious confusion was the absence of a live Christianity and the prevailing moral corruption. So he came to the conclusion that, given a measure of good-will, the sickness was by no means incurable. After all, both parties continued to believe in Christ!

From his scholar's study Erasmus failed to see that two ecclesiastical systems had long been in existence, separated the one from the other by a dogmatic chasm. The remedy of individual reform which a generation earlier might have started a great Catholic movement of reform was no longer adequate. The first requisite was to clear up the existing situation. This could only be done by a Council. Erasmus was not opposed to it, in fact he reserves the following four points for its decision, viz. obligatory auricular confession, the sacrifice of the Mass, the mode of Christ's presence in the Eucharist, the so-called "human statutes". "But", he asks, "who knows when the Council will take place?"<sup>2</sup> Meanwhile we cannot remain idle; something must be done to bring the opponents together instead of inciting them against one another. Without an internal preparation of this kind no positive result, that is, no restoration of the Church's unity can be expected." As for the role of the Council, it was only that of an arbitration court which, once the reconciliation had taken place, would pronounce on the purely theological controversies.

The same ideas as those propounded in the 1533 book on concord

<sup>1</sup> *Z.K.G.*, XVIII (1897), p. 249; to Vergerio it seemed "ch'abbia voluto esso diffinire et farsi un sinodo a suo modo et a modo de suoi Germani", *N.B.*, VOL. I, PT I, p. 138.

<sup>2</sup> In 1527 Erasmus wrote: "Nec est quod spectemus concilium; sero veniet obstante principum dissidio." Erasmus, *Epist.*, VOL. VII, p. 200 (No. 1887).

are found in the "Letter of congratulation" addressed by Erasmus on 23 January 1535 to the newly elected Pope Paul III.<sup>1</sup> It breathes the same fatal optimism: "By far the greater part of Germany is still intact. If the Pope will only rise above the warring parties and meet the Lutherans' wishes by allowing them certain liturgical practices which can be tolerated without injury to the unity of the Church and grant them an amnesty for the past, then an accord remains within the realm of possibility. The only duty of the future Council will be to define certain dogmas. As for the opinions of the schools, the theologians should be allowed to discuss them freely." The "Letter of congratulation" confirms what we know already. Erasmus does not wish to dispense with a Council. What is alarming is the fact that he regards an authoritative clearing-up of the controversial points as of secondary importance. The primary fact in his opinion is that both parties continue to hold the substance of the Christian faith. Actually historical development took the opposite direction. Without considering what was jointly held by both parties, the Church acted as she has always acted throughout her history. The line of cleavage was clearly marked by her and Catholic dogma defined both accurately and in its full extent. Instead of abandoning private Masses or the veneration of the Saints and their images she asserted their importance with even greater emphasis. Not by toleration of the innovators' religious practices, but by an energetic tightening of its own Catholic observances was the battle of the counter-reformation won by the Papacy. In the light of this later evolution it is easy to see that the Church's organic laws of life had escaped Erasmus's observation. Many contemporaries were impressed by his programme, not only because it was sponsored by such a man, but also, and even chiefly, because it seemed to point the way out of the seemingly hopeless confusion of the contemporary ecclesiastical situation. The Erasmian "Programme" had long ago ceased to be a mere literary exercise. On the advice of Conrad von Heresbach, a disciple of Erasmus, Duke John of Jülich-Cleves had made it the basis of his ecclesiastical policy. The Church-order of 1532<sup>2</sup> which he issued without the concurrence of the ecclesiastical authorities and which was to have force of law "until a future Council", enjoined preachers to leave controversial questions alone while at the same time it urged the pastoral clergy to be zealous in instructing the faithful in

<sup>1</sup> Published by Cardauns, in *Q.F.*, XI (1908), pp. 202-5.

<sup>2</sup> O. R. Redlich, *Jülich-bergische Kirchenpolitik*, vol. I (Bonn 1907), pp. 246-51; *ibid.*, pp. 259-78, the "declaration" of 8 April 1533, valid "bis uf kunftig concilium, nationalversammlung ader unseren widern bescheid".

the faith, the commandments and the sacraments. The "explanation" of the Church-order which the Duke published in the following year had been submitted to Erasmus and had received his approval. It was the first experiment with the humanist's programme of reconciliation. Its general application led to the policy of reunion after the failure of the Council of Vicenza. In the meantime it had been further developed and had spread far beyond the German borders.

That able publicist George Witzel,<sup>1</sup> while still a young priest, had joined Luther's party and married. However, the moral and religious confusion that met his eyes and the study of the Church Fathers decided him to resign his Protestant parish and to return to the Catholic Church. Like a typical "expectant", he began by pleading for a Council,<sup>2</sup> but at a later date he became a protagonist of the Erasmian programme of reunion.<sup>3</sup> In his opinion an understanding between the orthodox and the adherents of the new religion must be arrived at on the basis of Christian antiquity. The belief and practice of the ancient Church are the "royal middle path" on which the disputants may and must meet.<sup>4</sup> This is the standpoint of the "orthodox" speaker in his *Gesprächbüchlein* (Little Book of Dialogues) who takes to task the thorough-going Lutheran "Teuto" for whom Luther is "the teacher above all teachers" no less sharply than the ultra-Catholic "Ausonius" who defends

<sup>1</sup> The literature on Witzel in Schottenloher, Nos. 22707-22737; the most valuable work is G. Richter's *Die Schriften George Witzels* (Fulda 1913); Döllinger, *Die Reformation*, VOL. I, (Ratisbon 1846), pp. 26-125, reproduces the exceedingly sombre picture drawn by Witzel of the moral consequences of Lutheranism. For his place among the peace-makers see P. Polman, *Elément historique dans la controverse théologique du XVI<sup>e</sup> siècle* (Gembloux 1932), p. 380 f.

<sup>2</sup> In his letter to the Archbishop of Mainz, Goldast, *Monarchia*, VOL. I, pp. 653 ff., Witzel speaks of the council as "pharmacum reipublicae ecclesiasticae, asylum veritatis, extricatio atque enodatio difficilium causarum, assertio maiestatis scripturae sanctae, reintegratio divini cultus, recisio improbatorum morum, deletio Christo indignarum consuetudinum, excidium errorum, terror haereseon, consolatio spesque catholici populi, breviter certa sanitas ecclesiae Dei", and laments the non-observance of *Frequens*. In the spring of 1539 he had given up all hope of a Council and wrote to Nausea: "De concilio cogendo iam pridem spem abieci", *Epp. misc. ad Nauseam*, p. 246.

<sup>3</sup> On the policy of reunion the following works are the most notable: *Methodus concordiae ecclesiasticae* (1537), Richter, *Die Schriften Georg Witzels*, No. 35; *Drey Gesprächbüchlein* (1539), Richter, No. 49; *Typus ecclesiae prioris* (1540), Richter, No. 52; eight editions of the latter are in existence.

<sup>4</sup> Briefly summed up in Witzel's letter to Morone, 1 December 1540, *A.R.G.*, VI (1909), p. 239: "Illaesa nobis et salva omnino maneat doctrina primorum patrum quibus nihil aut sanctius aut doctius; . . . nolim removeri ritus atque observationes, quibus est usa tot iam saeculis sanctorum ubique congregatio; praesentes non tollantur, sed sicubi foret opus, corrigantur ac restituantur iuxta typum seu formam venerandae beataeque et victricis antiquitatis."

through thick and thin every use and abuse of the medieval Church. Though Witzel has parted company with Luther, he yet finds in the Catholic Church, as he sees it, much that cries for correction. The Church is in need of a thorough reform, but one in keeping with the principle: *tollatur abusus, non substantia*.<sup>1</sup>

Witzel was given an opportunity to attempt an understanding on these lines at the above-mentioned religious conference of Leipzig in 1539, in which he took part with Chancellor Carlowitz as the representative of Duke George of Saxony. Their opponents were the jurists Brück and Feige and the two most outspoken advocates of a policy of agreement of all the Protestant divines, viz. Melanchthon, the father of the *Confessio Augustana*, and Martin Bucer of Strasbourg, the most weighty as well as the most active of the south Germans and a confident of the Landgrave of Hesse on whose behalf he had most skilfully intervened in the course of Luther's and Zwingli's controversy over the Lord's Supper.<sup>2</sup> Bucer and Witzel jointly drew up a formula for a German accord<sup>3</sup> which, while it acknowledges the necessity of good works for salvation, does not state the doctrine of man's intrinsic justification with sufficient clearness. Individual communities were left free to decide whether they would have Mass daily or only on Sundays and feast days, "as was the custom in the days of the dear Augustine". The formula is silent about the sacrificial character of the Mass as well as on transubstantiation. There is not a word on the

<sup>1</sup> This principle is the inspiration of a "Modus concordandi inter catholicos et lutheranos" published by Cardauns in *Q.F.*, ix (1906), pp. 139-54, which may be an extract from Witzel's work on reunion composed, perhaps, in the entourage of the Bishop of Augsburg. O. Clemen has published it in *A.R.G.*, x (1913), pp. 101-5, and ascribed it to Witzel himself. It is not so much a formula for an agreement as a scheme of reform. The most dangerous statement is the following: "Canon missae reformetur; ab utraque parte missae extraordinariae prohibeantur."

<sup>2</sup> For Martin Bucer's (1491-1551) reunion policy which receives remarkably short treatment in *R.E.*, vol. III, pp. 603 ff., I use the correspondence with Philip of Hesse and the letters to the brothers A. and Th. Blaurer of Constance; T. Schiess, *Briefwechsel der Brüder A. und Th. Blaurer*, vol. II (Freiburg 1910), p. 60, 71 f., and *passim*; also W. Friedensburg, "Martin Butzer, Von der Wiedervereinigung der Kirchen", *A.R.G.*, xxxi (1934), pp. 105-91. The expression "apostle of concord" used by J. Ficker, *Martin Butzer* (Strasbourg 1917), p. 12, I would rather dispense with when speaking of this highly controversial personage. The remaining literature in Schottenloher, Nos. 2230-92; see also the monographs by H. Eells, *Martin Butzer* (New Haven 1931), and R. Stupperich, *Martin Butzer, der Reformator des Elsasses und Einiger des deutschen Protestantismus* (Berlin 1941), which I have not been able to consult.

<sup>3</sup> Text in Cardauns, *Bestrebungen*, pp. 85-108. *C.T.*, vol. XII, pp. 259-71. The tract "Antwort und Repulsion" by the Carmelite Stoss, written by order of the Bishop of Bamberg, is found in R. Schaffer, *Andreas Stoss*, pp. 138-70.

Pope's primacy of jurisdiction. The precedence of the Bishop of Rome over the other patriarchs is traced back to the position of Rome as the capital of the Roman Empire. The Pope may interfere with the jurisdiction of the other bishops in order to suppress abuses, hence his powers are like those of a metropolitan in his province. The invocation of saints is dropped. The monasteries, whose inmates are no longer to take vows, are to be turned into schools. The law of fasting remains as a simple recommendation. The marriage of priests and Communion in both kinds are advocated.

The Leipzig draft for reunion remained an individual effort and as such it circulated in Germany, from where it reached the imperial court and even the Curia. As one reads it one realises what pressing need there was for an official clarification by a Council of the controversial doctrines and practices. The aim of the authors is so to trim the Church's life and teaching as to bring it in line with Christian antiquity. If the scheme had been carried through, it would have led to the Protestantising of the whole of Germany for it suppressed essential elements of the Catholic faith and in the guise of toleration gave free scope to the dynamics of Lutheranism.

The danger was great, chiefly because so many were unaware of its existence. Erasmian ideas continued to operate not so much on account of the number of those who held them as by reason of their intellectual and social standing. Among those who favoured them Witzel counted in 1536 Cardinal Sadoletto, Archbishop Critius of Gnesen, the Bishops of Basle and Augsburg, Stanislas Thurzo of Olmütz, John Dantiscus of Kulm, and finally Tunstall of Durham, the most distinguished among the English bishops and a friend of Erasmus of long standing.<sup>1</sup> Sadoletto could not be described as an Erasmian though he was an advocate of peace. All the others actually held Erasmus in veneration, though not with the same fervour as Bishop Stadion of Augsburg who spoke of him as his guide to true Christianity and ranked him above the greatest theologians of the past.<sup>2</sup>

The power and influence of Erasmian ideas were not due to the fact

<sup>1</sup> *Epp. theologicae* (Leipzig 1537), fols. 1, 1<sup>v</sup>. Most of the people mentioned by Witzel have figured before in these pages. On Dantiscus there is a good deal of information in the letters of the years 1537-43 published by F. Hipler in *Zeitschrift für Geschichte Ermlands*, ix (1891), pp. 471-572. The letters published in Erasmus, *Epist.*, vol. VIII, pp. 299 ff., 343 ff., throw light on Tunstall's relations with Erasmus. For the entire group of "Henricians", see Constant, *La Réforme en Angleterre*, vol. I, pp. 213 ff. (Eng. edn., ch. vii, pp. 341 ff.).

<sup>2</sup> "Is fuit qui veram pietatis ac religionis viam digito demonstraverit", Stadion to Nausea, 30 November 1537, *Epp. misc. ad Nauseam*, p. 202 f.

that they were held by bishops but by ecclesiastical politicians. Leaving the men of Schmalkalden on one side, there was scarcely a princely court without its Erasmians. At Dresden they were the jurist Simon Pistoris<sup>1</sup> and the above-mentioned Carlowitz, to whom must be added the dean of the cathedral of Meissen, Julius Pflug,<sup>2</sup> who had been won over to Erasmus's party by his teacher Petrus Mosellanus, a man of a conciliatory disposition. Conrad von Heresbach operated at the court of Cleves and Chancellor Hagen at that of the Elector of Cologne.<sup>3</sup> Erasmus's influence also made itself felt at Heidelberg, Koblenz and Aschaffenburg. At the Habsburg courts it was active through Cornelius Schepper, Johann von Weeze, who had been driven from his archiepiscopal see of Lund, Louis de Praët, whose benevolent attitude towards them earned him the praise of the Protestants; even Granvella, the Emperor's right-hand man for external affairs, was affected by it. The Erasmians did not form a secret society as did the freemasons in the era of Enlightenment; they were linked together by the same community of thought as were the ecclesiastical rationalists two centuries later, and just as the ideas of the latter coincided largely with those of the Jansenists—hence with a current which, at least in its beginnings, ran directly counter to theirs—so did the Erasmian mentality coincide with that of the "evangelicals".<sup>4</sup>

All over Europe during the fifteen-thirties theologians and laymen threw themselves into the study of Holy Writ and the Fathers—especially St Paul and St Augustine—and experienced in themselves the meaning of sin and grace, redemption in Christ and justification by faith in Him. Their heart's desire was to hear the words: "I am thy salvation"; passionately they wrestled with the greatest problem of the

<sup>1</sup> There is a good synthesis of the literature about Pistoris (1489-1562) in Erasmus, *Epist.*, VOL. IV, p. 308; Pistoris kept up a correspondence with Erasmus, see *ibid.*, VOL. VIII, pp. 86, 459 f., 475 f.; VOL. IX, p. 185 f. Luther regarded him as a genuine Catholic.

<sup>2</sup> Like Witzel, Pflug (1499-1564) also lacks a modern biography; the most informative is still A. Janssen in *Neue Mitteilungen aus dem Gebiet historisch-antiquarischer Forschungen*, XI (1863), pp. I-110; II (1864), pp. I-212; further literature in Schottenloher, Nos. 17222-32b.

<sup>3</sup> Van Gulik, *Johann Gropper* (Freiburg 1906), p. 43; there is a letter to Erasmus even from Medmann, Erasmus, *Epist.*, VOL. VIII, p. 413 f.

<sup>4</sup> I have applied Imbart de la Tour's conception of the transition period in France up to 1538, *Origines*, VOL. III, to the corresponding symptoms in Italy (*Seripando*, VOL. I, pp. 135 ff.; Eng. edn., p. 103). The best survey is D. Cantimori's contribution to E. Rota's *Problemi storici e orientamenti storiografici* (Como 1924), pp. 557-84. For Spain, cf. M. Bataillon, *Erasmus en Espagne*, though in my opinion he exaggerates Erasmus's influence. Beltrán de Heredia's criticism of that work corrects it on many points but I cannot substantiate my own view here.

age. 'The German schism had roused men's minds. People searched the Bible and the Fathers for an answer to the questions that stirred their souls to the depths. Some book of the innovators may have come into the hands of this or that individual—may be a Biblical commentary. Actually there was no need for this to happen; questioning was in the air, or rather in men's hearts, all these searchers of the gospels had this in common; everything else—the answers to their queries and the influences that determined them—differs, so much so indeed that it seems almost rash to try to fasten a common label to such a riot of individualism.

Though a whole world would seem to divide Francis I's sister Margaret of Navarre, the authoress of the *Heptameron*,<sup>1</sup> from that most devout poetess Vittoria Colonna, the patroness of the first Capuchins,<sup>2</sup> the Frenchwoman nevertheless entered into a correspondence with one in whom she saw a kindred spirit while she herself called forth the admiration of a man like Seripando. The two Spaniards Alfonso and Juan Valdés were convinced Erasmians, but the basically unorthodox spirituality by which Juan, during his Neapolitan period, had attracted Giulia Gonzaga and her friends was permeated with a passion which the matter-of-fact Netherlander would never have recognised as spirit of his spirit. Gianpietro Carafa actually regarded it as no less diabolical than Erasmus's cold scepticism. Jacques Lefèvre's biblicism was no more Erasmian or Lutheran than that of the aging Cardinal Cajetan. The two men shared the misfortune of being condemned by the Sorbonne, yet what a contrast between the humanist who received a visit from Calvin and the great Thomist who was called to pass judgment on Luther! Bernardino Ochino, Italy's most popular preacher towards the close of the fifteen-thirties, ended as an anti-Trinitarian and was cast off even by the reformed divines of Switzerland, while Matteo Giberti, Bishop of Verona, in whose diocese Ochino had at one time won golden opinions, figures in the history of Catholic reform as a forerunner of St Charles Borromeo.

Though both their starting-point and their social position differed greatly, all these people had one thing in common, viz. a most acute awareness of the deepest problem of their time. The "religion of

<sup>1</sup> On the most recent biography of Margaret of Navarre, cf. L. Fèbvre, *Autour de l'Heptaméron* (Paris 1944), and D. Cantimori in *Società*, I (1945), pp. 261-73.

<sup>2</sup> Although in my opinion there can be no question of Vittoria's fundamentally Catholic attitude, the series of articles by Igino da Alatri in *Italia Francescana*, xxi (1946), pp. 84-93, 207-18, 280-95, does not fully solve the problem of the decisive years 1535-42.

justification by faith" was no longer a theological dispute fought out in Germany, it had become a preoccupation of the European mind. The movement was undoubtedly influenced, directly or at least indirectly, by the German schism. At Basle, in spite of every prohibition Italians, Frenchmen and Spaniards scrambled for Lutheran books.<sup>1</sup> On the other hand it is positively absurd for Oecolampadius to assert, because of this circumstance, that there were more "evangelicals" than Catholics in France, England and Italy.<sup>2</sup> The characteristic feature of the "evangelistic" movement was precisely that it was undefined, fluid and fraught with many possibilities for good and evil. Cardinal Pole cured Vittoria Colonna and the poet Marcantonio Flaminio of the Waldensian poison, yet his own teaching on justification was at one time thought to be tainted with Lutheranism.<sup>3</sup> It is not easy to detect any open heresies in the small book "On the benefit of Christ"—*Del beneficio di Christo*—which is typical of Italian evangelism; for all that the Roman Inquisition acted in the interests of the Church when it suppressed this work of the Benedictine monk Benedetto da Mantova, to such good effect indeed that scarcely a copy survives at this day. Even in strictly orthodox Spain it was a long time before the Inquisition took action against the "modern" preachers who had been trained at Alcalá.<sup>4</sup>

Granted that by comparison with the faithful masses the circles affected by the movement were relatively small, the fact remains that its adherents belonged for the most part to the educated classes, hence to the leading sections in the intellectual sphere. A glance at the literary products of the period, more particularly the commentaries on St Paul and the writings of St Augustine, gives us a good idea of the spread of evangelism. Lefèvre's Commentaries on St Paul saw no fewer than seven editions before 1540. St Thomas Aquinas's Commentary on the Epistles of St Paul, printed three times between 1522 and 1532, rivalled the popularity of a romance of chivalry.<sup>5</sup> It had become fashionable to study the Bible and to attend lectures on the Scriptures. The public lectures on St Paul of which we read in Italy

<sup>1</sup> "A bibliopolis Basiliensibus libros Lutheranos nulli iam avidius sibi comparant quam Galli, Itali, Hispani", Ber to Aleander on 24 April 1532, *Z.K.G.*, xvi (1896), p. 480.

<sup>2</sup> Laemmer, *Mon. Vat.*, p. 94.

<sup>3</sup> "Defendit et nititur probare," says the *Compendium processuum* of Pole, "doctrinam lutheranam de iustificatione esse veram", *Archiv. Soc. Romanae di storia patria*, III (1880), p. 284.

<sup>4</sup> Bataillon, *Erasme en Espagne*, p. 584.

<sup>5</sup> Imbart de la Tour, *Origines*, vol. III, p. 338.



were not by any means forced upon the public: they met a demand. If it so happened that one Lenten preacher disagreed with another on such questions as justification and predestination, a whole city might get excited and split into two camps. Educated laymen like the diplomatist Lattanzio Tolomei and the poet Flaminio already mentioned sought information from their theological friends. Thus it came about that a whole series of tracts on St Augustine's teaching on predestination owes its origin to a quarrel of preachers over the person of the Augustinian Friar Musaeus.<sup>1</sup> Seripando, who intervened in the controversy with his "Epistle to Flaminio", also wrote at the same time for the benefit of the Prince of Salerno a treatise on the relation between God's fore-knowledge and man's free will.<sup>2</sup> In the course of the next few years he elaborated a doctrine of justification which led to lengthy discussions at the Council of Trent: it was evolved from St Augustine's wonderful work *De spiritu et littera*. The latter work, which had called forth Luther's enthusiasm during his formative years, was translated into Italian and was eventually followed by translations of Augustine's treatises on "Nature and Grace", "Faith and Works" and "Predestination".<sup>3</sup>

Perhaps the most amazing literary product of evangelism is the reformed Breviary of Cardinal Quiñónez, commonly called "Holy Cross Breviary" after the cardinal's titular church.<sup>4</sup> In an attempt to draw almost exclusively on Holy Scripture, Quiñónez suppressed almost all the non-Biblical parts of the existing Breviary, particularly in the first edition of 1535. In spite of these revolutionary alterations there was a rush for copies in Rome. The first edition was reprinted no less than ten times within one year; the second edition, in spite of a subsequent reaction, saw no fewer than eighty-two editions. The heresies which

<sup>1</sup> H. Jedin, "Ein Streit um den Augustinismus vor dem Tridentinum", in *R.Q.*, xxxv (1927), pp. 351-68. The forty-two "Theoremata catholica et Sanctissimi Patris Augustini . . . doctrina" in Vat. lat. 3913, fols. 232<sup>r</sup>-236<sup>r</sup>, which the Augustinian Ambrosius Quistellius presented to Cardinal Aleander, probably fall into the same period.

<sup>2</sup> Jedin, *Seripando*, vol. II, pp. 468-73 (not in Eng. edn.); for the development of Seripando's teaching on grace, *ibid.*, vol. I, pp. 95-131; Eng. edn., pp. 73 ff.

<sup>3</sup> P. Cherubelli, *Le edizioni volgari delle opere di S. Agostino nella Rinascita* (Florence 1940), pp. 30 ff.

<sup>4</sup> H. Jedin, "Das Konzil von Trient und die Reform der liturgischen Bücher", in *Ephemerides liturgicae*, LIX (1945), pp. 5-38, especially pp. 15 ff. On 26 March 1535 Cardinal Cles's Roman agent sent his master an unbound copy—the leaves were still wet—with the remark: "Hic certe incredibili fere aviditate ac festinatione huiusmodi breviaria a prelatibus reliquisque curialibus expetuntur sive propter eorum commoditatem (ut predicant), sive quod re nova alliciuntur", St. Arch., Trent, Cles, Mazzo 10.

the Spanish Canon Juan Arze claimed to have discovered in the work of his fellow-countryman were non-existent, but he was right when he criticised it as a daring innovation. The same may be said of the evangelistic movement: it was a characteristic symptom of a period of transition—old, sound, traditional Catholic material lay thick by the side of what was new, questionable, false.

As long as a Council did not set up firm, universally recognised standards, it was not easy, even for the depositaries of the Church's authority, to "discern the spirits" in the difficult sphere of the doctrine of justification. On the whole, the gentle Master of the Sacred Palace, Tommaso Badia, dealt leniently with such preachers as were denounced to the Pope. He was satisfied with a simple retractation. Nothing happened when Sadoletto's commentary on the Epistle to the Romans, several passages of which had been criticised, was reprinted at Venice not from the amended second edition but from the original one.<sup>1</sup> Those dread instruments of the counter-reformation, the Roman Inquisition and the Index of prohibited books did not as yet exist.

In Germany, where direct contact with the schism was general, the number of evangelistic publications was legion. We single out only two. Johann Gropper,<sup>2</sup> cathedral-schoolmaster of Cologne, was by profession a jurist. Later on, "bewitched" by the study of the Fathers, he advocated in his *Enchiridion*—a summary of Christian dogmas published in 1538—a conception of the doctrine of justification which ignored scholastic theology altogether and rested upon St Augustine: faith formed the kernel of the theory. It is characteristic of the period that this book was hailed with enthusiasm by the Cardinals Contarini, Pole, Sadoletto and by Giberti and Cortese. Such was the demand for it in the bookshops of northern Italy that it was reprinted three times within two years. Eck, however, would have none of it, on the ground that it was semi-Lutheran. It certainly contained the germ of the doctrines which were rejected both by the Pope in his condemnation of the Ratisbon formula of union and by the Council of Trent in its condemnation of Seripando's teaching on justification. Yet the author of the book was the champion of the Catholic cause in the Rhineland,

<sup>1</sup> S. Ritter, *Jacopo Sadoletto* (Rome 1912), p. 66 f.

<sup>2</sup> W. van Gulik, *Johann Gropper*, Freiburg 1906, pp. 51 ff., though not conclusive. Cruciger's remark on Gropper's knowledge of the Fathers in *Corp. Ref.*, VOL. IV, p. 306; for his teaching on justification, Jedin, *Studien über die Schriftstellertätigkeit Albert Pigges*, pp. 117-21. For details on the reception of the *Enchiridion* in Italy, for which further research is required, cf. Jedin, *Seripando*, VOL. II, p. 264 (omitted in Eng. edn.). The future Cardinal Cortese expressed himself as "molto affezionato a quell' opera": *Opera*, VOL. I (Padua 1774), p. 136.

the man who resisted the Protestantising tendencies of the Archbishop of Cologne, Hermann von Wied, and who, as he neared the end of his life, received the red hat at the hands of such a Pope as Paul IV!

It is necessary to be quite clear about this appalling confusion<sup>1</sup> in the intellectual sphere if we would understand the history of the efforts for reunion and rightly appraise the work of the Council of Trent. The evangelistic type of man was not wanting even in the Protestant camp. The pious prince George of Anhalt<sup>2</sup> received a strict Catholic upbringing from his mother, Margaret von Münsterberg. Later on George Helt introduced him to the study of the Bible and the Fathers of the Church. He ended by adopting the Lutheran doctrine of justification and by inviting the preacher Hausmann into his territory he initiated the Protestantising process in the principality of Dessau over which he ruled jointly with his brother. For all that, when the Elector of Saxony appointed him ecclesiastical administrator of the diocese of Merseburg, he acted like a Catholic bishop, complied with the prescriptions of Canon Law and upheld the Catholic liturgy. The Lutherans claimed him as one of their own while he regarded himself as a "Catholic".

Evangelism, as we said at the beginning, and Erasmian tendencies met and frequently overlapped so that it is often difficult, if not altogether impossible, to disentangle motives in the conduct of

<sup>1</sup> The scheme for reunion proposed by the dean of the chapter of Passau, Rupert von Mosham, who in 1532 renounced the customary "thumbherrliches Leben" to take up a more serious mode of life, is symptomatic of the general confusion rather than of any real significance. Since 1537 he had been pressing both Morone and Ferdinand I with his proposals for an accommodation and reform in view of the Council. This imaginative personage actually came very near being summoned to Rome, *N.B.*, VOL. I, PT II, p. 229 f.; Eck's warning against him is in *N.B.*, VOL. I, PT IV, p. 588. When he began to storm with impartial vehemence against the abuses in both religious camps the Bishop of Passau forbade him to preach. On 4 September 1539 he took to flight, whereupon he was deprived of his benefices. However, the preachers of Nuremberg were as little pleased with his "mediatrix doctrina" as were the authorities at Passau, so that he was compelled to leave Nuremberg also. He found a temporary asylum with the Archbishops of Mainz and Cologne, but his efforts for admission to the religious colloquies were in vain—it was generally realised that he was not normal; cf. M. Heuwieser, "Rupert von Mosham, Domdechant von Passau", in *Riezler-Festschrift* (Gotha 1913), pp. 115-92.

<sup>2</sup> *R.E.*, VOL. VI, p. 521 f., makes of him a Protestant saint, but his work at Merseburg shows how much Catholicism he retained; E. Sehling, *Die Kirchengesetzgebung unter Moritz von Sachsen und Georg von Anhalt* (Leipzig 1899), pp. 82 ff. A number of interesting points in O. Clemen, *Georg Helts Briefwechsel* (Leipzig 1907); further literature in Schottenloher, Nos. 28987a-29004. On the Augustinianism of Johann Honter of Siebenbürgen, who falls into this period, cf. K. K. Klein, *Der Humanist und Reformator Johann Honter* (Munich 1935), pp. 139 ff.

individuals.<sup>1</sup> Real life is infinitely more complex than the historical notions with the help of which we endeavour to group its manifold manifestations in the hope of interpreting them. To understand the reunion policy of the years 1539-41 it is enough to bear in mind that two ideas lay behind the political and the ecclesiastical-political motives that gave it birth, namely the Erasmian programme of reunion and evangelism, both of which were due to a tendency to seek an understanding with the Protestants on the basis of what both parties retained of the substance of Christianity. No one with any degree of insight can be blind to the fact that its chances of success were slender, but so splendid was the goal, namely the restoration of the religious unity of the West, that it seemed worth while to make the attempt. Success depended on whether all efforts in the direction of reunion were focused on one point. This actually happened when Paul III sent Cardinal Contarini as his legate to the Diet of Ratisbon in 1541. By comparison with this great event all previous negotiations for reunion were no more than preliminary tactics.<sup>2</sup>

In order to obtain the help of the League of Schmalkalden for the Turkish war, which was King Ferdinand's special concern—Sultan Soliman was making preparations for a fresh, large-scale attack on Hungary—a political truce, something like the Pacification of Nuremberg in 1532, would have sufficed. But the Emperor was out for more—for nothing less, in fact, than a fundamental understanding with the Protestants. By this means he hoped to heal the religious division and to remove the latent danger of war which in the last few years had been disquieting the Catholics, who were becoming ever weaker, while it paralysed the high policy of the Habsburgs. In order to pave the way for such an agreement the Emperor despatched the adroit Johann von Weeze first to the court of Ferdinand and from there to Germany. In February 1539 von Weeze began negotiations at Frankfurt with the Schmalkaldic League, in the presence of two councillors of the King of the Romans but without the participation of the other Catholic princes

<sup>1</sup> Thus, for instance, Julius Pflug's tract on justification, *C.T.*, VOL. XII, pp. 290-5 is a genuine product of evangelism.

<sup>2</sup> In addition to his admirable work on the efforts for reunion, the first of his many books (1879), Pastor has provided a good deal of supplementary matter in his *History of the Popes*, VOL. V, pp. 253-347 (Eng. edn., VOL. XI, pp. 359 ff.), as well as in his new edition of Janssen VOL. III. (1917), pp. 460 ff., 521 ff., 557-69 (Eng. edn., VOL. VI, pp. 34 ff., 105 ff., 147 ff.), but the most important supplementary matter is in L. Cardauns, *Bestrebungen*. The more recent special literature will be noted with each religious colloquy. Cf. also C. Gutierrez, "Un capitulo de Teologia pretridentina: el problema de la justificación en los primeros coloquios religiosos alemanes 1540-41", in *Miscelanea Comillas*, IV (1945), pp. 7-31.

or that of the Pope. The result was the Respite of Frankfurt of 19 April 1539.<sup>1</sup> Against a promise to send representatives to a Diet of princes which would provide the finances for the Turkish war the Schmalkaldic League was granted a suspension, for a period of fifteen months, of the suits against its members then pending with the supreme court of judicature. No agreement was come to with regard to their further demand for permission to admit new members into the confederation. For the purpose of paving the way for an accord, a religious conference was announced; it was to meet at Nuremberg and the Pope was expressly excluded. Behind this exceedingly ominous clause loomed the League's aim to secure for their confession a final, juridical recognition, one no longer subject to the judgment of a future Council. An accord such as this, from which the Pope was excluded, could only lead to the apostasy of the entire German nation from the Roman Church. This was the solution Rome was most afraid of.

In the Eternal City the Emperor's efforts on behalf of reunion were viewed with undisguised alarm. Prompted by this sentiment the Pope made choice of the most uncompromising member of the Sacred College, Aleander, for the post of delegate to the court of Vienna.<sup>2</sup> In point of fact, as a result of Aleander's persistent warnings, the Curia had disavowed the whole plan for an accord ever since 1538, and that in unmistakable terms. The Respite of Frankfurt seemed to justify the worst fears.

In a lengthy memorial<sup>3</sup> Aleander turned with extraordinary sharpness on von Weeze, the author of this "impious and criminal Recess", as he called it. Only the Emperor's presence, so he thought, offered any kind of guarantee against pernicious decisions by the prospective Diet. Morone expressed himself in calmer, more objective terms, but his language was equally firm. He likewise issued a warning against a project advocated by Matthias Held, von Weeze's opponent, for a simple "conference" of scholars, without the participation of the

<sup>1</sup> Text in Le Plat, VOL. II, pp. 625-30; P. Fuchtel, "Der Frankfurter Anstand", in *A.R.G.*, xxviii (1931), pp. 145-206; the jubilee article of E. Ziehen, "Frankfurter Anstand und deutsch-evangelischer Reichsbund von Schmalkalden", in *Z.K.G.*, LIX (1940), pp. 324-51, exploits new Frankfurt sources. The passage about the exclusion of the Pope runs as follows: "Non placuit hunc (pontificem) ad istum conventum advocare neque utile videbatur eius oratores ad hanc colloquutionem et compensationem admittere", Le Plat, VOL. II, p. 627.

<sup>2</sup> The acts and the diary in *N.B.*, VOL. I, PTS iii and iv; cf. also Friedensburg's preface, VOL. I, PT iii, pp. 67-84.

<sup>3</sup> *N.B.*, VOL. I, PT iv, pp. 519-33, and the despatch of 28 May, *ibid.*, pp. 80-4, together with the memorial of 29 June in Laemmer, *Mon. Vat.*, pp. 233-41. The letter to the Emperor, *N.B.*, VOL. I, PT iv, pp. 142-7.

Estates but under the presidency of the Pope, at which representatives of the Empire and of the King of France would also be present. "Experience has taught us", Morone wrote on 6 July 1539,<sup>1</sup> "that such conversations only tend to weaken the Catholics and to encourage their opponents. The only way to intimidate the Lutherans and to render them amenable to negotiation is a strong Catholic League supported by the two great powers and by the Pope."

On 18 August 1539 Giovanni Ricci of Montepulciano repaired to the imperial court in Spain in the hope of preventing the confirmation of the Respite of Frankfurt by the monarch and of procuring the fall of von Weeze.<sup>2</sup> The Farnesi's confidant succeeded in preventing a formal confirmation of the Respite, but the fall of von Weeze and still less the abandonment of the policy of reunion were not to be thought of.<sup>3</sup> Even Cardinal Farnese himself who, accompanied by his former tutor Cervini, visited the two courts in November 1539 in the capacity of peace-legate,<sup>4</sup> failed to dissuade the Emperor from his resolve to attempt a final settlement; all he could obtain was one solitary alteration in the plan, though an all-important one, namely the participation of the Pope in the prospective religious discussion. The worst danger was thus averted. After the break-down of the negotiations with Francis I in April 1540 and while great military preparations by the Turks brought the danger of war on two fronts ever nearer, the Emperor acted with surprising speed. On 18 April 1540 the Estates of the Empire were summoned to Speyer for a religious conference.

Papal diplomacy had vainly sought to arrest the course of the policy of reunion by means of a fresh offer of a Council. Farnese's programme: first peace with France, then a Council for the healing of the schism in Germany and England and, lastly, a joint military enterprise against the Turks, was by this time impossible.<sup>5</sup> In vain the nuncio Poggio drew the Emperor's attention to the intolerable situation which a compromise in the ecclesiastical sphere was bound to create. The Church in Germany would be following rites and customs wholly different from those in use in the French and Spanish Churches. Only through a

<sup>1</sup> *N.B.*, VOL. I, PT iv, pp. 127 ff., similarly on 20 July, *ibid.*, p. 137 f.

<sup>2</sup> Ricci's instructions, Laemmer, *Mon. Vat.*, pp. 246-52; also the corrections in Pieper, *Zur Entstehungsgeschichte*, pp. 166 ff.

<sup>3</sup> The Emperor's reply in *N.B.*, VOL. I, PT iv, pp. 537-40; more fully in the Emperor's instructions for Aguilar, Döllinger, *Beiträge*, VOL. I, pp. 22-8.

<sup>4</sup> *N.B.*, VOL. I, PT v, pp. 39-246.

<sup>5</sup> Instructions in *N.B.*, VOL. I, PT v, p. 42; cf. pp. 123, 184. The great memorial is in *C.T.*, VOL. IV, pp. 182-7.



FRANÇOIS I<sup>ER</sup>

*After the painting by Titian in the Louvre, Paris,  
dated 1538*

General Council could the Church's unity be preserved.<sup>1</sup> Morone sought to influence Ferdinand I in the same sense. It was a piece of good fortune for the papal diplomatists that at this very time—February 1540—the King of Poland also made a proposal for a General Council through the Bishop of Caminiec.<sup>2</sup> Three German divines, Fabri, Cochlaeus and Nausea, worked in the same direction as the papal representatives. The Bishop of Vienna, Ferdinand's most influential adviser in matters of ecclesiastical policy since the death of Cardinal Cles, kept stressing the great Catholic principles in a whole series of memorials<sup>3</sup>: "What the Roman Church and the Apostolic See have condemned, is condemned. The Bull *Exsurge* and the Edict of Worms must form the basis of whatever discussions may take place. Nothing can be decided without the concurrence of the Pope. A Council is the supreme remedy for the many wounds from which the Church suffers and its most weighty task is to carry out a reform of the head and the members." "If it is not possible", he wrote at a later date, "to convoke a Council, let a conference be called at which all the nations are represented for the purpose of defining the controversial doctrines."<sup>4</sup> The greatest peril, in Fabri's opinion, would be a purely national solution without the concurrence of the Pope. In a memorial for King Ferdinand drawn up in the last days of June 1540 Cochlaeus wrote<sup>5</sup>: "We Germans cannot deny that the Roman Church is our mother in the faith, hence we may not differ from her on a single article of faith without imperilling the salvation of our souls. Abuses in the Church are much more easily and more effectively righted by a General Council than by a religious conference. A General Council is the object of the aspirations of all truly devout people." Even Nausea,<sup>6</sup> who was much more strongly influenced by Erasmian ideas than either Fabri or Cochlaeus, declared in the conclusion of a memorial on the *Confessio Augustana*: "On all these articles a Council would pronounce a

<sup>1</sup> *N.B.*, VOL. I, PT V, p. 192.

<sup>2</sup> *C.T.*, VOL. IV, p. 186; *N.B.*, VOL. I, PT V, p. 93 f.; cf. B. von Dembinski, *Die Beschickung des Tridentinums durch Polen* (Breslau 1883).

<sup>3</sup> Cardauns, *Bestrebungen*, pp. 25-31; *ibid.*, pp. 131-8, the text of the memorial drawn up in May 1540. The further elaboration of the *Preparatoria* in Laemmer, *Mantissa*, pp. 149-54; also Weiss, *Papiers*, VOL. II, pp. 590-5; its despatch to Rome on 22 April 1540, *N.B.*, VOL. I, PT V, p. 191. The memorial drawn up during the colloquy of Hagenau in Raynald, *Annales*, a. 1540, Nos. 34-8; new impression in Le Plat, VOL. II, pp. 647-50.

<sup>4</sup> Memorial of September 1540, Cardauns, *Bestrebungen*, pp. 141-5.

<sup>5</sup> Text in Cardauns, *Bestrebungen*, pp. 145-50; the passage quoted is on p. 149 f.

<sup>6</sup> Cardauns, *Bestrebungen*, p. 190; *ibid.*, pp. 150-7, the memorial to the Emperor.



clearer and more authoritative judgment.” However, the Emperor had neither the will nor the power to draw back. Owing to an outbreak of an epidemic at Speyer the reunion conference met at Hagenau in June 1540.<sup>1</sup> The two leaders of the League of Schmalkalden, Saxony and Hesse, refused to attend, Melanchthon was taken ill on the journey and only a very small number of princes and prelates put in an appearance. Hence no positive result was arrived at. For the fiasco Ferdinand’s many mistakes in the conduct of the meeting were largely responsible. No religious conference properly so called took place; the Recess fixed the opening of such a gathering for 28 October at Worms and suggested the participation of a papal representative.

For months both sides had argued about the procedure to be observed. Morone made a supreme bid to give the conference an international character<sup>2</sup> by means of an invitation to ten theologians, from each of the following nations, viz. Italy, France, Spain and Poland-Hungary, as against twenty Germans from both contending parties. His proposal was not acted upon; in any case a congress of divines would have lacked an essential qualification—authority. Another hotly debated point was: “On what text would the exchange of opinion be based?” Fabri’s proposal had the merit of simplicity<sup>3</sup>: “Let a list be drawn up with the help of Crabbe’s ‘Collection of the Councils’ of the pertinent doctrines already condemned and let them be submitted to the Protestants, point by point, in order to clarify their attitude, beginning with the specific tenets of Zwingli and the Anabaptists which the Lutherans rejected no less than the Catholics.” Such a procedure would have safeguarded the Catholic position; it was, however, unacceptable to the Emperor because it would not lead to an accord but rather to a final rupture. In Fabri’s and Cochlaeus’s opinion<sup>4</sup> the *Confessio Augustana* on which the men of Schmalkalden were once more taking their stand, could not form a basis for negotiation, because even when it

<sup>1</sup> Schottenloher, Nos. 41323a-8; for us the most important documents are Morone’s reports in F. Dittrich, *Nuntiaturberichte Giovanni Morones vom deutschen Königshofe 1539-40* (Paderborn 1892), pp. 130-79. The Recess of 28 July in Ranke, *Deutsche Geschichte im Zeitalter der Reformation* (Berlin 1839-43), VOL. VI, pp. 160-8; also *N.B.*, VOL. I, PT V, p. 448-51. It is remarkable that the electors’ motion (*N.B.*, VOL. I, PT V, p. 448) speaks of a *modus vivendi* until the future Council and that Granvella reckons with the confirmation by the Council of eventual concessions, *ibid.*, p. 328. The Recess speaks of a “legitimate” Council (Ranke, VOL. VI, p. 162) for which the Protestants wished to substitute the words “christlich frei Konzil”.

<sup>2</sup> Laemmer, *Mon. Vat.*, p. 286 (7 July 1540); Ferdinand thought of twenty to thirty theologians from Germany, Italy, France and Spain, *N.B.*, VOL. I, PT VI, p. 348.

<sup>3</sup> Laemmer, *Mantissa*, pp. 149 ff.

<sup>4</sup> Cardauns, *Bestrebungen*, p. 146.

was drafted it had not furnished an adequate definition of Lutheran teaching and now the Articles of Schmalkalden had rendered it superfluous. If they started on such a basis they ran the risk of a sham agreement which would gloss over substantial doctrinal differences. If the Catholics insisted on alterations, as they needs must, they were faced with a rupture. The obstinacy with which the men of Schmalkalden stuck to their Confession was shown by their rejection of a proposal of Ferdinand's that they should simply accept the result of the Augsburg negotiations for reunion and limit themselves to a discussion of those points on which no agreement had been reached at that meeting.<sup>1</sup> As a matter of fact the Protestants were even less inclined to yield than the Curia. Their present position was very different from what it had been ten years earlier. At that time they faced the victorious, all-powerful Emperor as a religious body; now the League of Schmalkalden was the only compact political power in the Empire. In spite of the prohibition of Nuremberg the League was expanding year by year by the accession of new adherents and all the time its ecclesiastical organisation was being consolidated. On the Catholic side one state after another, one town after another crumbled away<sup>2</sup>—Württemberg, Pommerania, the greater part of Brunswick, Brandenburg and after the death of Duke George on 17 April 1539, Albertine Saxony. The Catholic Federation of Nuremberg, by means of which Vice-Chancellor Held had hoped to keep the Protestants in check, came to very little. The Rhenish Electors refused to join it and even the Pope hesitated. Internal dissolution kept pace with external losses and Morone had good reason to complain of the supineness of the bishops.

In these circumstances Granvella's show of optimism failed to allay the anxiety felt by the papal diplomatists, that is the Cardinal-legate Cervini who had remained in the Low Countries after Farnese's departure, the nuncio Poggio and above all Morone. Every succeeding day brought fresh evidence of the Protestants' deep-seated aversion for the Papacy. "How can we hope to come to terms", Nausea and Cochlaeus asked,<sup>3</sup> "with people who regard the chief shepherd of Christ's flock as Antichrist? who ask us to accept the *Confessio Augustana*, an act that would be equivalent to apostasy from the Roman Catholic Church and throwing in our lot with them? Can anyone believe that the Protestant preachers will re-introduce Catholic teaching and practice

<sup>1</sup> Correspondence on the subject in *N.B.*, VOL. I, PT V, pp. 446-51.

<sup>2</sup> Eck's account, *N.B.*, VOL. I, PT IV, p. 588.

<sup>3</sup> Cardauns, *Bestrebungen*, pp. 146 f., 194 f.

which they have been fighting for decades and that princes will restore confiscated Church property?"

On 25 November 1540, nearly a full month after the date originally fixed, Granvella opened the negotiations for reunion at Worms.<sup>1</sup> Only after the Emperor had given a formal assurance that there would be no negotiations, still less would a decision be taken without the Pope's knowledge and approval,<sup>2</sup> did Paul III decide to send a special representative to Worms. Giberti was unacceptable to the Emperor on account of his notorious francophil attitude and Contarini's nomination had to be cancelled at the last moment. The Pope's choice then fell upon the Bishop of Feltre, Tommaso Campeggio,<sup>3</sup> who thus made his first appearance on the stage of history. Hitherto his influence had only been felt behind the scenes. There too, in time to come, he was to render signal service as an adviser to the Curia in all questions of Canon Law. However, his role was merely that of an observer. He was neither empowered to give his approval to any dogmatic formula of reunion—this goes without saying—nor could he on his own authority make any concessions in the disciplinary sphere.<sup>4</sup> His activity at Worms was further restricted in consequence of the personal tension between him and Morone, who was also present.<sup>5</sup> His address to the assembled representatives of the Estates on 8 December<sup>6</sup> was free from invectives against the Protestants and later also, in keeping with his promise, he endeavoured to act as a messenger of peace and reconciliation. For all that he did not escape the accusation of being an obstructionist, an accusation that might have been levelled with better reason at Morone. However, by maintaining contact with Granvella, the leader of the negotiations, as well as with the outstanding theologians of the Catholic party, Eck, Cochlaeus, Nausea and Hoetfilter, he

<sup>1</sup> The reports of Campeggio, Morone and Bernardo Sanzio, Bishop of Aquila, who were also present at Worms, in *N.B.*, VOL. I, PT VI, pp. 1-146, in part already in Laemmer; further literature in Schottenloher, Nos. 41404-16.

<sup>2</sup> *N.B.*, VOL. I, PT V, pp. 328, 332 ff.

<sup>3</sup> For Campeggio's life and writings (1481-1564), G. Fantuzzi, *Notizie degli Scrittori bolognesi* (Bologna 1781-4), VOL. III, pp. 67 ff., is the most exhaustive. Cardauns, *N.B.*, VOL. I, PT V, pp. xxx ff., has a sketch. Cf. also Hofmann, *Forschungen*, VOL. II, p. 76; Lauchert, *Literarische Gegner*, pp. 614-19. For his position within the movement, see next chapter.

<sup>4</sup> *N.B.*, VOL. I, PT VI, p. 13. Morone's proposals for an amendment of the Recess of Hagenau in *N.B.*, VOL. I, PT V, p. 449.

<sup>5</sup> Morone purposely avoided appearing jointly with Campeggio and subsequently reproached him with "insufficiencia, poca memoria et maggior facilità nel parlare che non sarebbe bisogno a trattare negotii", *N.B.*, VOL. I, PT VI, p. 121, but we must bear in mind the opinion of the impartial Sanzio, *ibid.*, p. 66 f.

<sup>6</sup> *Corp. Ref.*, VOL. III, pp. 1192-5 (No. 2076).

repeatedly saved the situation when the uncertain attitude of the representatives of Brandenburg, the Palatinate and Cleves, who were reckoned among the Catholics, rendered it exceedingly critical. Campeggio was assisted by the following papal theologians: the Italian Badia, the Frenchman Gérard, the Scotsman Wauchope and the Dutchman Pighius.

Weeks were spent in controversy over the question of procedure at the conference—whether the discussion should be by word of mouth or in writing, the manner of voting, the number of speakers and so forth. All this goes to show that there could be no question of mutual trust.<sup>1</sup> The formal *colloquium* opened on 14 January 1541 on the basis of the *Confessio Augustana*, Eck and Melancthon being the speakers. At the end of four days an agreed formula on the doctrine of original sin had been arrived at when an imperial command stopped the exchange of views and transferred it to the Diet of Ratisbon, which had been announced at Hagenau. At Ratisbon the Emperor was resolved to promote the work of reunion with all his might and by his personal presence. Cardinal Contarini, on whom all the hopes of the advocates of reunion were centred, was also to be present; on 10 January he had been named papal legate.

No one in the whole of the Sacred College was better qualified for such a task.<sup>2</sup> Sprung from one of the numerous branches of a noble Venetian family, which had given the Republic no less than six doges, Gasparo Contarini, at the conclusion of his philosophical studies at Padua, had entered on a strict religious mode of life together with his friends Tommaso Giustiniani and Vincenzo Quirini. But while his friends forsook the world to enter the solitude of Camaldoli near Arezzo, where they reformed the Order of St Romuald, Contarini, as a result of a spiritual experience connected with justification at the time of his Easter confession in the year 1511—an experience comparable with Luther's "tower experience"—resolved to remain in the world and there to lead a truly Christian life. He entered the service of the

<sup>1</sup> Campeggio's lengthy despatch of 15 December is to the point, *N.B.*, VOL. I, PT vi, pp. 68-79.

<sup>2</sup> Contarini's works were printed in Paris in 1572 and at Venice in 1578 and 1589; cf. also a critical edition of his counter-reform writings by F. Hünermann in *Corp. Cath.*, VOL. VII (Münster 1923), and F. Dittrich, *Regesten*. In the preface to an edition of thirty recently discovered letters of Contarini of the years 1510-23, which I published in De Luca's *Archivio per la storia della pietà*, I made some additions to the great biography by F. Dittrich, *Gasparo Contarini* (Braunsberg 1885), from Solmi, Friedensburg and others. Among more recent works H. Rückert's *Die theologische Entwicklung G. Contarini's* (Berlin 1926), is valuable for our purpose.

Republic and thus it came about that in 1521 he assisted at the Diet of Worms in the capacity of Venetian envoy. In this way he became acquainted with the Lutheran movement and perhaps even with some of Luther's writings. His own interior evolution, which was not without affinity with Luther's, led him to think that the latter's conception of salvation—though not its theological formulation and the conclusions he drew from it—had its roots in primitive Christianity. In a letter of 7 February 1523 he wrote to his friend Giustiniani: "No man is justified by his own works; we must have recourse to God's grace which we receive through faith in Christ." When he wrote these words Contarini did not take his stand by the side of Luther but with St Paul, St Augustine and St Thomas Aquinas. He also followed St Thomas when, a few years later, he drew up a short refutation of the fundamental tenets of Lutheranism. He started from the conviction that the religious dispute could be settled without either a Council or controversial exchanges and pamphlets—all that was required was good-will on both sides combined with charity and humility.<sup>1</sup> It was not long before he realised that this was not enough.

On 20 May 1535 Paul III raised Contarini, layman though he was, to the cardinalate. The Pope had probably come to know him more intimately during his term of office as Venetian ambassador to the Curia from 1528 to 1530. Before long Contarini became the heart and soul of the reform movement at the Curia as well as the acknowledged leader of a religious circle which had certain affinities with the evangelistic movement and included men like Pole, Gonzaga and Giberti. In Germany he, as well as Sadoletto, Fregoso and Pole, was thought to be sincerely in favour of an understanding with the Protestants.<sup>2</sup> This is why he had been considered for the duties of papal legate at the convention of Hagenau and subsequently at the conference of Worms.<sup>3</sup> Although he too was not empowered to come to an agreement at Ratisbon, or to make concessions even in the disciplinary sphere,<sup>4</sup> his nomination was a striking proof of the Pope's wish to meet the Emperor's aspirations for reunion. His personality was a guarantee that on the

<sup>1</sup> *Corp. Cath.*, VOL. VII, p. 22.

<sup>2</sup> Campeggio's report of 23 December 1540 in *N.B.*, VOL. I, PT vi, p. 90.

<sup>3</sup> Dittrich, *Regesten*, Nos. 460, 485, and the letter to Cervini, p. 312 f.; G. Cortese, *Opera*, VOL. I, p. 52 f.

<sup>4</sup> Contarini's instructions in Morandi, *Monumenti*, VOL. I, PT ii, pp. 112-22. The decisive passage is on p. 114: "Non fuit locus ut . . . cum ampla concordandi facultate mittere te potuerimus." Contarini's corresponding observations to Granvella in *Z.K.G.*, III (1879), pp. 166 ff.

Catholic side the negotiations would be conducted in a most conciliatory spirit and that the German controversialists—Eck, Cochlaeus, Fabri and their followers, whom the Protestants loathed—would be kept in check.

Contarini made his entry into Ratisbon as legate on 12 March 1541.<sup>1</sup> Not for decades had a representative of the Pope been received with such enthusiasm in Germany. The oppressive, warlike tension which had envenomed relations between the two religious parties during recent years seemed to have lifted and hope revived. The Emperor and his minister Granvella showed so much concern for the Protestants that many Catholics felt slighted, while the crowd witnessed the extraordinary spectacle of the Elector of Brandenburg devoutly attending the celebration of the Catholic Mass.

However, all this was only on the surface: at bottom the sharp opposition between Rome and Wittenberg continued unabated. Neither Luther nor the Elector of Saxony came to Ratisbon, and Melanchthon had received strict orders not to depart from the *Confessio Augustana* and its *Apologia*. From Strasbourg, his temporary refuge, came the future arch-enemy of Rome, John Calvin. Shortly before the Diet the Curia, actuated as it was by distrust and anxiety, had replaced the nuncio Poggio, a man in complete sympathy with the Emperor, by Morone, who, as everyone knew, would have nothing to do with the policy of religious discussions. He was to counterbalance the peace-

<sup>1</sup> Bibliography of the Diet of Ratisbon in Schottenloher, Nos. 28073-82, 41376-89; best survey in Brandi, *Quellen*, p. 303 ff. Apart from the letters of Contarini already published by Quirini and Morandi, V. Schultze has published thirteen despatches in *Z.K.G.*, III (1879), pp. 150-83. The greater part of the remaining ones was published almost at the same time by L. Pastor in *H.ſ.*, I (1880), pp. 321-92, 473-500, and by F. Dittrich, *Regesten* (1881). Some supplementary matter may be found in *N.B.*, VOL. I, PT vii, pp. 3-26. Part of Morone's contemporary despatches was published by H. Laemmer, *Mon. Vat.* (1861), and another nine by V. Schultze in *Z.K.G.*, III (1879), pp. 609-41, the remaining ones by F. Dittrich in *H.ſ.*, IV (1883), pp. 395-472, 618-73. Additional matter by L. Cardauns, together with Sanzio's reports, in *N.B.*, VOL. I, PT vii, pp. 27-96. On the Protestant side Melanchthon's reports and those of the Saxon councillors, in *Corp. Ref.*, VOL. IV, pp. 142-637. Bucer's letters in Schiess, *Breifwechsel Blaurer*, VOL. II, pp. 71 ff. On Joachim II's attitude, cf. N. Müller, in *Jahrbuch für brandenburgische Kirchengeschichte*, IV (1907), pp. 175-248; also the reports of the envoys of the cities, viz. Strasbourg, *Politische Correspondenz*, VOL. III, pp. 177-205; Augsburg, edited by F. Roth in *A.R.G.*, II (1904), pp. 250-307; III (1905), pp. 18-64; IV (1906), pp. 65-98, 221-304; Frankfurt, Pastor, *Reunionsbestrebungen*, pp. 483-9. H. Nestler, in *Zeitschrift für bayrische Landesgeschichte*, VI (1933), pp. 389-414, supplies local colour especially after the chronicler Widmann. Extracts from the notes of the Swiss Hans von Hinwyl, who was present at Ratisbon, by L. Weiss in *Zeitschrift für schweizerische Kirchengeschichte*, XXVIII (1934), pp. 51-64, 81-104.

loving Contarini. Shortly before the opening of the Diet, on 9 March,<sup>1</sup> Cardinal Farnese gave the legate a final and most earnest warning against the Emperor's policy of lulling the parties to sleep. *Attenzione!* was the watchword of all Roman instructions.

The surest omen of success for the Emperor's plan was the circumstance that he had the support of the majority of the college of Electors, viz. Brandenburg, the Palatine, Trier and Cologne. The most active member of the Schmalkaldic League, Philip of Hesse, withdrew from the ranks of the opposition. Driven into a corner in consequence of his bigamous marriage, he sought to attach himself to the Emperor. Among the Protestant divines none worked harder for reunion than Bucer, Philip's friend. Viewed exclusively from the political standpoint the situation was such as to raise hopes of an understanding. Those who opposed it were few in number. They were Bavaria, Mainz and the pugnacious Duke Henry of Brunswick. The papal representatives were not taken in by the demonstrations of zeal for the Catholic religion of which the Bavarians were particularly lavish. They knew that this façade screened some exceedingly worldly aims and that their agitation in favour of war masked their desire to extend their power ("*farsi grandi*").<sup>2</sup> Was it not they who had started the intrigues which France was weaving in Rome against Contarini? Johann Eck was their spokesman among the theologians.

On the very day of the opening of the Diet, 4 April, it became evident that the question of a Council occupied people's mind as much as ever. In his "Proposition" the Emperor recapitulated the fruitless efforts made by him since his meeting with Clement VII at Bologna to bring about such an assembly.<sup>3</sup> In their reply of 9 April the Protestants maintained their previous standpoint. They had declined the Council of Mantua for "weighty and important reasons", but, they protested, "they were always ready to attend a free, Christian Council of the German nation" where they would account for their "reformation" which, so they claimed, was perfectly reconcilable with the customs of "the universal, Christian and apostolic Church".<sup>4</sup> The small

<sup>1</sup> Dittrich, *Regesten*, No. 601.

<sup>2</sup> Morone's despatches of 21 March, 28 April and 11 May: *H.ſ.*, IV (1883), pp. 438 ff.; 449 f., 459; also the despatches of 6 and 7 April: *Z.K.G.*, III (1879), pp. 625 f., 630.

<sup>3</sup> *Corp. Ref.*, VOL. IV, pp. 151-4 (No. 2179); also *Zeitschrift für schweizerische Kirchengeschichte*, XXVIII (1934), p. 60 f.

<sup>4</sup> Latin text in *Corp. Ref.*, VOL. IV, p. 158; German text in *Zeitschrift für schweizerische Kirchengeschichte*, XXVIII (1934), p. 83.

committee exclusively composed of German theologians, which the Emperor set up on 21 April after the Easter pause, for the discussion of the disputed articles of the faith, was not intended to take the place of a future Council. It was not entitled to issue decisions; its only object was an exchange of ideas the result of which was to be submitted to the Emperor, the papal legate and the Estates. In view of the instructions of the Saxons, the basis of the discussions was not the *Confessio Augustana* but a new formula of reunion consisting of twenty-three articles and resting on a formula devised at Leipzig. This was the so-called *Book of Ratisbon*.<sup>1</sup> The book was the result of a secret conference at Worms between Gropper and Bucer and mainly Gropper's work. The confidants of the Emperor, Count Palatine Frederick and Granvella, were chosen as "mediators" or presidents of the conference. On 23 April six representatives of the Estates were adjoined to them as "hearers". The real leader was Granvella. The Curia's warnings against him were fully justified. Ecclesiastical scruples troubled him much less than the Emperor; his programme for reunion was inspired by Erasmus.<sup>2</sup> Two of the three Catholic collocutors, Gropper and Pflug—the latter had shortly before been appointed to the see of Naumburg—were convinced promoters of reunion. Eck on the other hand was an irreconcilable opponent. He longed to display his skill in debate on this occasion also, but had to yield the coveted leading role to Contarini, to whom the Catholic collocutors were obliged to report in the morning and evening of each day. Among the Protestants Bucer was regarded as practically won over to reunion.<sup>3</sup> On the other

<sup>1</sup> The original form of the "Book of Ratisbon", with the lengthy article 5—subsequently suppressed—in Lenz, *Briefwechsel*, VOL. III, pp. 31-72; final text in Le Plat, VOL. III, pp. 10-44, *Corp. Ref.*, VOL. IV, pp. 190-238 (No. 2207). H. Eells, "The Origin of the Regensburg Book", in *Princeton Theological Review*, xxvi (1928), pp. 355-72; R. Stupperich, "Der Ursprung des Regensburger Buches von 1541 und seine Rechtfertigungslehre", in *A.R.G.*, xxxvi (1939), pp. 88-116.

<sup>2</sup> Granvella's dependence on Erasmus is most clearly seen in the proposal made to Contarini previous to the colloquy, to the effect that the doctrine of transubstantiation should be referred to the Council, *Z.K.G.*, III (1879), p. 160. Granvella was also responsible for the suggestion of a compromise on this point in the course of the colloquy, *H.ſ.*, I (1880), p. 377. Even after the division of minds on the concept of transubstantiation Granvella stuck to his view that it was "una cosa sottile e pertinente solo alli dotti, non toccava al popolo", *H.ſ.*, IV (1883), p. 471. For a characterisation of the collocutors cf. Contarini's report of 28 April, *H.ſ.*, I (1880), p. 366 f., in which he also explains why the imperial statesmen excluded Pighius and Wauchope: both men were regarded as advocates of strong measures. Dittrich, *Regesten*, p. 324, gives a complete list of the participants in the colloquy.

<sup>3</sup> Granvella to Morone on 21 March, *H.ſ.*, IV (1883), p. 439; Morone subsequently acknowledged that the information was correct, *ibid.*, p. 454. "Without him", Morone wrote on 11 May, "la pratica era totalmente rotta", *ibid.*, p. 459.



hand Melanchthon, who had been its indefatigable advocate at Augsburg, tied as he now was by the strict instructions of his Elector, kept almost timidly in the background. When Eck was taken ill, the Hessian Pistorius withdrew from the conference.

The situation thus created was the best possible. The political and religious forces which pressed for reunion were all represented at the conference and its opponents were in the minority. The first results surpassed all expectations. In the course of a very few sessions agreement was reached on the first four articles of the *Book of Ratisbon* and on 2 May the Protestants accepted article 5 on justification as stated in the formula submitted by Contarini and approved by Badia and Eck, though reluctantly by the latter, to the effect that justification is by faith working through charity.<sup>1</sup> Contarini was highly gratified and informed Rome of the great event, while the Elector Joachim II ordered a serenade in honour of the legate of reconciliation.

The orthodoxy of the formula of reunion has been discussed for centuries. When it was submitted to the consistory of 27 May it was criticised as equivocal<sup>2</sup>; justly so if we compare its wording with that of the Tridentine decree on justification. The Council drew a much sharper line of demarcation between Catholic dogma and Protestant teaching. It rejected the doctrine of a "double justice" of the Ratisbon formula and devoted a whole dogmatic chapter to the concept of merit on which the Ratisbon formula was silent. But when we ask what meaning its authors attached to it the answers vary. As early as 25 May 1541 Contarini defended himself in the celebrated *Epistola de justificatione* against the objections raised by the Mantuan divine Messer

<sup>1</sup> Text of article 5 in Le Plat, VOL. III, p. 15; *Corp. Ref.*, VOL. IV, pp. 198-201. To this must be added the "scheda" which Contarini added to the formula of reunion by way of further clarification when forwarding it to Cardinal Gonzaga on 3 May: Th. Brieger in *Z.K.G.*, v (1882), pp. 593 ff.; also *C.T.*, VOL. XII, p. 313 f. The covering letter in Dittrich, *Regesten*, p. 324 f. The letter of Farnese under the same date in *H.Ź.*, I (1880), pp. 372 ff. Contarini at once detected the two critical points, viz. the "duplex iustitia" and the absence of the word "meritum".

<sup>2</sup> Pole had charged Aluise Priuli to influence the cardinals of Contarini's circle, namely Carafa, Bembo, Loreri, Fregoso and Aleander, in favour of the formula of reunion, Quirini, *Epp. Poli*, VOL. III, p. 25. However, Fregoso alone gave it serious support. Morandi, *Monumenti*, VOL. I, PT II, p. 169, n.67, already conjectured that the opponent of the formula of whom Bembo speaks in his letter of 27 May, was Aleander. Farnese's official reply of 29 May, Quirini, *Epp. Poli*, ccxxxi-ccxl, states that the Pope had expressed no personal opinion but that he wished him to warn Contarini not to agree to an equivocal formula. The refusal of approbation was of course equivalent to a rejection.

Angelo.<sup>1</sup> The "Epistle" is therefore an authentic commentary on article 5 of the *Book of Ratisbon*. If we appraise its spirit and not merely every individual word, we are bound to agree with the doctors of the Sorbonne. In 1571, when asked for their opinion on the complete edition of Contarini's writings, these divines declared them to be orthodox.<sup>2</sup> Contarini was anxious to clear up the pernicious misunderstanding which had cumbered discussion with the Protestants from the beginning of Luther's activities, namely that the Catholic doctrine of salvation was Pelagian, was prejudicial to the merits of Jesus Christ as the sole source of salvation, diminished the significance of faith in the process of justification—in a word that it failed to uphold the all-sufficiency of divine grace. Ever since his Holy Saturday experience in the year 1511 Contarini's whole spiritual life had rested on this fundamental conception. He had stuck to it in spite of severe interior struggles and it constituted the very core of his religion. The conception is Catholic. Only ignorance of Catholic teaching could have prompted Theodore Brieger to say that the Epistle is "at heart genuinely Protestant", or lead Hans Rückert to assert that its greatest weakness lies in the fact that "ideas whose natural climate is Protestantism, whose main driving power they constitute, are there developed within the framework of a Catholic dogma which rests on a very different basis".<sup>3</sup> We grant that the formula lacks the Tridentine ring, but it does not emit a Protestant sound.

Agreement on article 5 of the *Book of Ratisbon* was reached because beneath the theological errors which controversial theology had discovered in Luther's notion of justification, Contarini saw the main religious consideration from which he had started. As the talks

<sup>1</sup> *Corp. Cath.*, VOL. VII, pp. 23-34. In the introduction Hünermann gives the list of previous publications. In the letters in which he defends his action, 9 June, *H.Ź.*, I (1880), pp. 478 ff., and 22 June, *N.B.*, VOL. I, PT VII, pp. 9-13, Contarini energetically rejects the accusation of ambiguity. In the letter of 22 July, Morandi, *Monumenti*, VOL. I, PT II, pp. 186 ff., and *Z.K.G.*, III (1879), pp. 516 ff., probably addressed to Aleander, he defends the formula "nos iustificari fide efficaci per charitatem". H. Rückert, *Theologische Entwicklung Contarinis*, p. 81, gives a list of all the pertinent sources.

<sup>2</sup> Of the three conceptions listed by Hünermann, *Corp. Cath.*, VOL. VII, p. xxi f., the Catholic one is upheld, in addition to the above-mentioned, by Cardinal Quirini and by Morandi. The Protestant one was advocated in the eighteenth century by Kiesling, professor of theology at Leipzig and later on by the Church historians Gieseler and Weizsäcker—of the layman Ranke we prefer not to speak; the intermediary view, maintained by Laemmer, Pastor, Dittrich and others, is obviously untenable, for in the sphere of faith there can be no middle course, that is, there is no half-truth but only truth and error.

<sup>3</sup> Rückert, *Theologische Entwicklung Contarinis*, p. 105.

proceeded it became evident that reunion was impossible in view of the fact that the Protestants denied the sacramental nature of the Church and rejected her hierarchical constitution. Already in the discussion of articles 6 and 9, on the Church and her authority to interpret Scripture, the same Protestant conception showed itself which had led to the breakdown of the disputation of Leipzig, the notion, that is, that Councils were liable to error.<sup>1</sup> This was equivalent to the denial of a supreme teaching authority. In order to prevent an immediate rupture and in spite of Eck's protests, Contarini obtained the postponement of the discussion of this decisive question until the end of the *colloquium*. On 9 May he explained the reasons that prompted these tactics<sup>2</sup>: they are more to the credit of his theological insight than of his political acumen. He saw quite clearly what our narrative shows and what was abundantly confirmed by the course of the Council of Trent, namely that the discussions within the Church herself on the extent of the papal primacy and its relation to a General Council had not as yet led to such unanimity and clarity as to make it advisable to enter into details in a discussion with Protestants. The diversity of opinion among Catholics might indeed have produced the chaos Contarini was afraid of, quite apart from the circumstance that it would have been exceedingly unwise to wreck the agreement precisely on the article of papal supremacy. Contarini was determined, with the concurrence of Morone, to demand from the Protestants the recognition of the papal primacy of jurisdiction and the supreme authority of a Council in matters of faith, but only at the conclusion of the religious *colloquium*.<sup>3</sup>

The final rupture came with the discussion of article 14—the

<sup>1</sup> Contarini to Farnese, 4 and 9 May 1541, *H.Œ.*, I (1880), pp. 375 f., 376 ff.

<sup>2</sup> *Ibid.*, pp. 379 ff.

<sup>3</sup> Contarini drew attention to the fact that on the Catholic side Panormitanus and Pighius—of course for different reasons—taught that a Council was liable to error. He accordingly proposed the following text for the formula of reunion: "Quod quando incidit dubitatio rationabilis in expositione sacrae scripturae, eo quod non fuerit determinatum antea quicquam per concilium quodpiam legitime congregatum neque in scriptura habeatur sententia expressa, neque etiam existat consensus aut doctrina recepta ab universali ecclesia, tunc maiores nostri consuevere convocare concilia generalia quorum auctoritas in ecclesia cum fuerit (probably fuerint) legitime, recte in Spiritu Sancto congregata semper maxima fuit, cuique nullus ausus sit contradicere" (*ibid.*, p. 380, with Cardaun's corrections, *N.B.*, VOL. I, PT vii, p. 6). For the primacy Contarini proposed this formula: "Che Christo ha instituita questa gerarchia ponendo li vescovi nelle loro diocesi, li arcivescovi, li patriarchi e li primati, sopra li quali tutti per conservare l'unità della Chiesa ha constuito il Pontefice Romano, dandoli giurisdizione universale sopra tutta la Chiesa" (*ibid.*). For Contarini's teaching on the primacy, see the tract *De potentia pontificis*, *Corp. Cath.*, VOL. VII, pp. 35-43.

Eucharist.<sup>1</sup> On this question the Protestants were bound to take into account the view that prevailed in north Germany—a view strongly influenced by Zwingli. They firmly declined to accept the concept of transubstantiation which Contarini had embodied in the text of the article and on whose acceptance—without any reservation whatsoever—he insisted, since it was a definition of the fourth Lateran Council. He also rejected the proposal, responsibility for which ultimately rested with Erasmus, that they might be content with a declaration that Christ is really and truly present in the Eucharist while leaving the discussion of the notion of transubstantiation to a General Council. Contarini's truly Catholic character was now seen in all its brightness. He was firmly resolved to forgo the desired agreement rather than permit the least whittling down of a dogma defined by the Church, nor would he cloak the divergence between the two doctrinal concepts with a sham agreement (*concordia palliata*). His sole concern now was the preservation of the truth (*conservare la verità*).

When on 14 May the Protestants declared their willingness to grant the usefulness of the confession of grave sins but not its necessity, there was no longer any doubt that the attempt at reunion had failed. Contarini explained the gravity of the situation to the Emperor.<sup>2</sup> The monarch must either compel the Protestants, in virtue of his imperial authority, to renounce those of their tenets which were irreconcilable with the fundamental dogmas of the Christian faith, or the reunion must not take place. The Emperor complied with Contarini's demand in that on 18 May he earnestly exhorted the Protestant leaders, that is the Grand Duke of Hesse, the Saxon councillors and Joachim II of Brandenburg, to make their submission,<sup>3</sup> but he refused to put an end to the conference which was kept going by Gropper and Pflug, Melancthon and Bucer up to 22 May. They examined the remaining controversial points<sup>4</sup> and finally submitted the *Book of Ratisbon* with the

<sup>1</sup> For the discussions of 6-13 May, cf. Contarini's reports of 9, 11, 13 May, *H. J.*, I (1880), pp. 376-87, the memorial in Dittrich, *Regesten*, p. 325 f., and the juxtaposition of the two opposite principles in *Corp. Ref.*, VOL. IV, pp. 261 ff.

<sup>2</sup> Contarini's report of 15 May, *H. J.*, I (1880), pp. 387-90.

<sup>3</sup> Contarini's report of 23 May, Dittrich, *Regesten*, pp. 326 ff. Text of the Emperor's exhortation in *Corp. Ref.*, VOL. IV, pp. 293-8 (No. 2232).

<sup>4</sup> The chief points discussed were the Canon of the Mass, its sacrificial character and the invocation of the Holy Ghost, private Masses and Communion in both kinds. With regard to the primacy the Protestants made no difficulties at first, *H. J.*, I (1880), p. 327, perhaps because the Catholics had not insisted on their recognising the primacy of jurisdiction, but even Zwingli's son-in-law Walthart, in his letter to Bullinger, *Zeitschrift für schweizerische Kirchengeschichte*, xxviii (1934), pp. 98 ff., does not include the primacy among the points in dispute. Only at the conclusion did Contarini add to the *Book of Ratisbon* the formula of the primacy prescribed by the Pope.

glosses of both parties. On 31 May the Protestants submitted yet another document in which they summed up their attitude to the controversial points on which no agreement had been reached.<sup>1</sup> It was now for the Emperor to draw his own conclusions from the rupture.

As we survey the scene in retrospect we must conclude that the breakdown of the Ratisbon reunion was not due to the Curia's rejection of the formula of justification there agreed upon; the doctrine of the Eucharist and Penance had wrecked it long before the arrival on 8 June of Rome's unfavourable decision.<sup>2</sup>

On 28 May Granvella had a conversation with Morone about the immediate future<sup>3</sup>: "Was the war for which the firebrands were agitating really unavoidable? The imperial statesmen shrank from such a venture. Or should they be content with a partial accord and tolerate the articles not yet agreed upon until the Council met?" Toleration of this kind, partly religious and partly political, presented a very different aspect from the religious Pacification of Nuremberg—it was a step towards a legal if qualified recognition of the new teaching against which the Curia protested at once with the utmost energy. It proposed the immediate convocation of a General Council. The day of the above conversation between Granvella and Morone was the birthday of the Council of Trent.

On 15 June Contarini was instructed to make the following communication to the Emperor<sup>4</sup>: "The Pope", it said, "was firmly resolved to terminate the suspension of the Council and to convene that assembly at once." The first draft of the communication had actually mentioned the month of September. "The negotiations for reunion had only been tolerated out of regard for the person of the Emperor. Now that they had broken down no other remedy was left except a Council. Forcible means could hardly be thought of—they were far

<sup>1</sup> Le Plat, VOL. III, pp. 44-57; *Corp. Ref.*, VOL. IV, pp. 348-76 (No. 2254); these are the nine "articoli bestiali" of which Girolamo Negri speaks on 28 June, Dittrich, *Regesten*, No. 788. Distinct from these is the memorial of the Estates on the *Book of Ratisbon*, Le Plat, VOL. III, pp. 58-66; *Corp. Ref.*, VOL. IV, pp. 476-505 (Nos. 2300-02), comments on which were asked for from Melancthon, Cruciger, Pistoris and Amsdorf, *Corp. Ref.*, VOL. IV, pp. 413 ff.

<sup>2</sup> Contarini's report of 9 June, *H.ŷ.*, I (1880), pp. 478-81.

<sup>3</sup> *H.ŷ.*, IV (1883), pp. 469-72; additional matter in Morone's report, Laemmer, *Mon. Vat.*, p. 372 f.

<sup>4</sup> Full text in Quirini, *Epp. Poli*, VOL. III, pp. ccxl-ccxlix; Laemmer, *Mon. Vat.*, pp. 376-82, but faulty; a better text for the part referring to the Council is in *C.T.*, VOL. IV, p. 195 f.; Th. Brieger has published Cervini's drafts in *Z.K.G.*, v (1882), pp. 595-604; Latin translation in Raynald, *Annales*, a. 1541, Nos. 20-4; cf. also Le Plat, VOL. III, pp. 118-23.

too risky.” The proposed toleration was condemned in the sharpest terms; it was described as *illicitissima e dannosa*.

The legate executed his commission on 24 June.<sup>1</sup> The Emperor suggested they should wait until the Estates should demand a Council. Contarini insisted that the Pope’s decision was irrevocable; to bring in the Estates would only lead to further complications. The impression that the Emperor was bent on putting off the Council was further strengthened when King Ferdinand, who arrived at Ratisbon on 21 June, as well as Granvella, took up the old refrain about the probability of the Lutherans, the French and the English holding aloof.<sup>2</sup> These fears turned out to be groundless. In the written answer which Granvella handed to the legate sometime before 27 June the Emperor left the solution of all the problems connected with the Council to the Pope.<sup>3</sup> The plan for an agreement was thus effectively buried and the struggle for a Council opened anew. The next chapter will describe its progress, but first we must cast a glance at the upshot of the Diet and its deeper causes.

We pass over the wearisome dispute about the acceptance of those points of the *Book of Ratisbon* which had been previously agreed upon, a dispute that lasted throughout the months of June and July. The moderates among the Electors—Brandenburg, the Palatinate and Cologne—favoured acceptance, but they were opposed by Schmalkalden, the Catholic action party of Bavaria and by Mainz and Trier. Actually neither party wanted to be bound by the agreement. When asked for his opinion by the Emperor, Contarini declared on 10 July, and even more clearly in writing on 19 July, that approval of the articles—even the agreed ones—must be left to the Pope and to the Council.<sup>4</sup> A declaration of this kind was needed in order to forestall the use of the *Book of Ratisbon* for propaganda purposes,<sup>5</sup> for a rumour had circulated even while the *colloquium* was still in progress that the Catholics had accepted the Protestant doctrine of salvation. On 7 July,

<sup>1</sup> Contarini’s report of 24 June, *Z.K.G.*, III (1879), pp. 176-9.

<sup>2</sup> Morone’s report of 27 June, *H.ſ.*, IV (1883), pp. 624-7.

<sup>3</sup> Contarini’s report of 27 June, *H.ſ.*, I (1880), p. 487 f. On 29 June Contarini wrote to the French nuncio that the Emperor had accepted the Council “molto volentieri”, Morandi, *Monumenti*, VOL. I, PT II, p. 180.

<sup>4</sup> Both declarations, undated, in Morandi, *Monumenti*, VOL. I, PT II, pp. 191-4; Le Plat, VOL. III, pp. 91, 95; *Corp. Ref.*, VOL. IV, pp. 506, 555. The first declaration was presented to the Estates on the 12th; for the second see the report of 19 July, *Z.K.G.*, III (1879), p. 180 f., with Pastor’s additions, *H.ſ.*, I (1880), p. 497; detailed account in Dittrich, *Contarini*, pp. 700-77.

<sup>5</sup> “Per non dare occasione alli adversarii di interpretar le cose etiam ben dette in mal senso”, says Contarini, 5 July. *H.ſ.*, I (1880), p. 489.

at the Emperor's request, the legate earnestly admonished the German bishops to avoid giving scandal themselves or to suffer scandal to be given by their entourage, to see to the proper discharge of the pastoral ministry in their dioceses, as became true shepherds, and to make provision for the preaching of the word of God and the instruction of youth.<sup>1</sup> Never before in the whole history of the German reformation had the whole episcopal body appeared before a papal legate. They took the admonition in good part though it was something of a humiliation for them; they even besought Contarini to exert himself for the immediate convocation of a Council, otherwise all Germany would turn Lutheran within a very short time. Yet almost in the same breath they mentioned the German *gravamina* and the decree *Frequens*. This shows that notions dating from the era of the Councils and which had been so injurious to the Catholic cause at the time of the Bull *Exsurge* were still at work in their minds.<sup>2</sup> Contarini's exhortation breathed the spirit of the Catholic reform. The Emperor communicated its text to the secular Estates without Contarini's knowledge. This could only weaken its effect. Relations between the Emperor and the legate, so cordial at first, were further troubled during the last days of the Diet by the circumstance that the draft of the Recess of the Diet<sup>3</sup> did not unconditionally leave the whole of the religious question to the forthcoming Council. To do so would only have been in keeping with the Emperor's reply to the papal instructions of 15 June, but instead of this the document even considered the possibility of a national council. In spite of previous assurances the draft had not been submitted to the legate, but Contarini nevertheless managed to ascertain its tenor. He accordingly warned the Estates through the Archbishop of Mainz, in the latter's capacity of Arch-Chancellor of the Empire, that no national council would be empowered to issue binding decisions in matters that were the concern of the universal Church.<sup>4</sup> He nevertheless failed to obtain

<sup>1</sup> Text in Morandi, *Monumenti*, VOL. I, PT ii, pp. 197 ff.; Le Plat, VOL. III, pp. 91 ff., and Contarini's above-mentioned report of 10 July. Granvella's complaint that up to this time Contarini had done nothing for reform (thus Morone on 21 June, *H. J.*, IV (1883), p. 622) needs no refutation—what opportunity was there during the colloquy? The reform tract presented by the Protestants (Le Plat, VOL. III, pp. 67-89; *Corp. Ref.*, VOL. IV, pp. 541 ff., No. 2317) will be discussed further on in a different context.

<sup>2</sup> *C.T.*, VOL. IV, pp. 197-200.

<sup>3</sup> *Ibid.*, p. 200 f., with Contarini's report of 26 June, *Z.K.G.*, III (1879), p. 183 f.

<sup>4</sup> Le Plat, VOL. III, p. 101 f. In their reply of 26 July (Le Plat, *ibid.*, p. 102; better text in *C.T.*, VOL. IV, p. 202 f.) the Protestant Estates point out with unconcealed irony that the simplest way to avoid a national council was to hold a general one; if this were convened there would be no question of the former.

any alteration in the text, in fact the final formula of the Recess of 29 July<sup>1</sup> was even more objectionable for there was question in it of the Council being held in Germany within the next eighteen months. By way of excusing this reversal of policy the Emperor told Contarini that a wise man must adapt his plans to circumstances.

In order to secure the help of the Protestants for the war against the Turks the Emperor took even a more disquieting step. In a secret "Declaration"<sup>2</sup> he permitted them, until a final settlement should be reached, to act on the interpretation which their own divines would put on the agreed articles. He also guaranteed to them the possession of secularised Church property and authorised them to admit into their communities adherents to the new teaching from territories other than their own. This secret "Declaration" implied a certain measure of toleration of Lutheranism even though its legal nature was not easy to define. By this means Charles V bought a momentary advantage, namely the help of Schmalkalden against the Turks, who had recently occupied Buda.

The issue of the great Diet of Ratisbon proved a disappointment for all parties. The Emperor was cheated of his hope of a religiously united Empire behind him in the approaching conflict with France. For such a misfortune his alliance with Brandenburg and Hesse were no adequate compensation. Most disturbing of all was the fact that the Catholic action party, above all Bavaria, had allied itself with the enemy of the morrow. This meant a shifting of fronts. If, as was to be expected, the Pope favoured the champions of the Catholic cause, the Emperor would accuse him of supporting the policy of France, while he himself viewed the Catholic federation, which the Curia did its best to strengthen, with a distrust that he did not seek to disguise.

The issue was even more painful for Contarini. When he left Ratisbon on 29 July at the same time as the Emperor, to return to Italy, he was aware that he was being decried as a Lutheran because he had worked for an accord. Like the great Christian that he was he accepted this fresh trial as part of his daily cross.<sup>3</sup> Contarini may not have been a constructive genius, but he was both a great Christian and

<sup>1</sup> The part of the Recess dealing with religion in *Corp. Ref.*, VOL. IV, pp. 625-30 (No. 2353), with Contarini's report of 27 July, *H. J.*, I (1880), p. 498 f.

<sup>2</sup> Latin text in Döllinger, *Beiträge*, VOL. I, pp. 36 ff.; German text in *Corp. Ref.*, VOL. IV, pp. 623 ff. (No. 2352).

<sup>3</sup> "Hora comincio ad essere buon Christiano patiendo nelle fatiche et pericoli", Contarini wrote on 22 July to Cervini, Morandi, *Monumenti*, VOL. I, PT II, p. 185; *Z.K.G.*, III (1879), pp. 516 ff.



a great politician. We must admit that he sacrificed himself unselfishly for the Church and warded off from the Papacy the accusation that it did not desire the religious reunion of Germany, if it did not actually prevent it.<sup>1</sup> To accuse him of remissness where the interests of the Church and the Papacy were at stake was a gross injustice. The source of the calumny is known: it was a French intrigue instigated by Bavaria for the purpose of preventing reunion.<sup>2</sup> His unshakable firmness in upholding the concept of transubstantiation and the earnestness with which time and again he represented to the Emperor that this was not a question of words or of theological opinions but an essential dogma of the faith<sup>3</sup> make it abundantly clear that there can be no question of the Cardinal's Catholic attitude. In his mouth the protestation that he was prepared to sacrifice life itself for the preservation of the faith was no mere phrase. No professional diplomatist could have forwarded the Pope's true interests with greater skill or handled men—whether Emperor or statesmen, princes or theologians—with a shrewder regard for their individuality than he, seeing that he succeeded in taming even so difficult and pretentious an individual as Johann Eck.<sup>4</sup> As for the Protestants, they felt that here they dealt with a man who sought their souls, not their goods or some political advantage; they accordingly paid unstinted homage to his disinterestedness as well as to his theological acumen. Their protest against the above-mentioned declarations of 10 and 19 July,<sup>5</sup> after the failure of the *colloquium*, was not aimed at his person but against the cause for which he stood. They bore more readily with him than with that exasperating critic, Johann Eck.<sup>6</sup>

At Ratisbon Contarini attempted the impossible. History is wont to cast its blame on the men who misjudge hard realities or seek to prevent the inevitable. No such blame attaches to Contarini. Before the seamless coat of Christ, that is, the unity of the Western Church,

<sup>1</sup> Contarini himself thus conceived his mission, cf. letter to his brother-in-law, Matteo Dandolo, Venetian envoy to France, Morandi, *Monumenti*, VOL. I, PT II, p. 200 ff.; *Z.K.G.*, III (1879), pp. 519 ff.

<sup>2</sup> Ercole Gonzaga to Contarini, 17 May 1541; Quirini, *Epp. Poli*, VOL. III, p. cclxxviii; Dittrich, *Regesten*, No. 720; Contarini to Capodiferro, 12 June, Morandi, *Monumenti*, VOL. I, PT II, p. 177 f. and the report to Farnese of the same day, Dittrich, *Regesten*, p. 338 f. Contarini refutes with magnificent irony the accusation that he was "freddo", *H.Ź.*, I (1880), p. 480.

<sup>3</sup> *H.Ź.*, I (1880), p. 388 f.; cf. Dittrich, *Regesten*, p. 325 f.

<sup>4</sup> Morone on 24 April, *H.Ź.*, IV (1883), p. 449. Francesco Contarini informs the Signoria that the legate had given away benefices to the value of 1500 florins without demanding a penny in fees, Dittrich, *Regesten*, No. 718.

<sup>5</sup> Le Plat, VOL. III, pp. 103-7.

<sup>6</sup> Eck to Contarini, 20 January 1542, *Z.K.G.*, XIX (1899), p. 479.

was finally rent it was necessary to essay the impossible. Only the failure of the Ratisbon attempt at reunion could justify the drawing of the Tridentine line of demarcation.

Each party blamed the other for the unhappy issue.<sup>1</sup> In point of fact no single individual was responsible for a rupture that was due to an impersonal factor, viz. the irreconcilable opposition of contradictory doctrines. To have established this fact by dint of prolonged and arduous effort is the merit of pre-Tridentine controversial theology.<sup>2</sup>

On 30 August 1519<sup>3</sup> the University of Cologne had condemned a whole series of errors propounded by Luther in the course of the controversy over indulgences. On 7 November of the same year Louvain acted in like manner.<sup>4</sup> The Bull *Exsurge* included in its forty-one propositions the result of the disputation of Leipzig, viz. the new concept of the Church. However, this pronouncement on Luther by the highest teaching authority—the only one right up to the Council of Trent—did not provide a complete survey of the doctrinal divergences. As a matter of fact this was impossible, for it was only after the publication of the Bull that Luther cast his conception of the sacraments, the sacrifice of the Mass, the priesthood, the Church and the Papacy into

<sup>1</sup> The controversial pamphlets exchanged between Melanchthon and Bucer on one side and Eck and Pighius on the other are catalogued by Schottenloher, Nos. 41376 ff.; Jedin, *Studien über die Schriftstellertätigkeit Albert Pigges*, pp. 43-6; W. Friedensburg in *A.R.G.*, xxxi (1934), pp. 145-91.

<sup>2</sup> I am of course well aware that what follows is no more than a first attempt to pose, rather than solve, the historical-dogmatic problem of pre-Tridentine controversial theology. It only carries the ideas expressed in my article "Die geschichtliche Bedeutung der katholischen Kontroverstheologie im Zeitalter der Glaubensspaltung", in *H.ſ.*, LIII (1933), pp. 70-97, a step further. Since the first survey of this field by H. Laemmer, *Die vortridentinisch-katholische Theologie des Reformationsalters* (Berlin 1858), a number of monographs on controversial theologians have been written by Nicholas Paulus, Joseph Greving and their collaborators and pupils, and not a few critical editions of controversial writings have been published in *Corp. Cath.* Moreover, increasing attention has been paid to controversial theology in historical-dogmatic works on the Council of Trent. But the central problem, the formation of the *Corpus Controversiarum* which was submitted to the Council, has scarcely been appreciated up to the present, hence much less solved. The most comprehensive modern work, P. Polman's *Elément historique dans la controverse religieuse du XVI<sup>ème</sup> siècle* (Gembloux 1932), starts from a different angle of the problem; cf. my observations on it in *Theologische Revue*, xxxii (1933), pp. 305-11. The relevant section in Lortz, *Reformation*, vol. II, pp. 154-98, is stimulating.

<sup>3</sup> Le Plat, vol. II, pp. 45 ff.; P. Fredericq, *Corpus Inquisitionis Neerlandicae*, vol. IV (Ghent 1900), p. 12; on the influence of the Dominicans, cf. P. Kalkoff in *Z.K.G.*, xxxii (1911), p. 30 f.

<sup>4</sup> Le Plat, vol. II, pp. 47-50; Fredericq, *Corp. Inquis. Neerl.*, vol. IV, pp. 14-16. On the "errores" forwarded to Cardinal Adrian in Spain, cf. P. Kalkoff, *Forschungen zu Luthers römischen Prozess* (Rome 1903), pp. 194-203.

a final mould. In February 1521 Glapion, the Emperor's confessor, extracted a list of thirty-two propositions from Luther's *De captivitate babilonica*.<sup>1</sup> In its censure of 15 April of the same year the University of Paris drew a substantially clearer picture of the heresiarch's teaching on the sacraments and the vows of religion, on the basis of his later writings.<sup>2</sup> Characteristically enough the theological faculty was silent on Luther's errors on the subject of the papal primacy; it took more than a decade before it filled up this lacuna. This it did in its censure of Melancthon's twelve articles on reunion (1535) in which it declared that the Church's hierarchy and the Pope's authority exist by right divine.<sup>3</sup>

The condemnation by ecclesiastical authority of isolated erroneous propositions could not convey an adequate notion of the depth and extent of the doctrinal divergence: to do this was the task of technical theology. For the purpose of defending Catholic dogma it was imperative that theologians should make a systematic study of the new ideas and subject them to a minute analysis. This necessity gave birth to controversial theology. It was left to this new branch of the sacred science to fix with ever growing accuracy the boundaries beyond which lay Protestantism. This led to the systematisation of the disputed articles.

The new theology had to overcome two difficulties, one of which arose from its own nature. For some four hundred years technical theology had been synonymous with scholasticism, that is, the use in the study of dogma of the dialectical method evolved in the twelfth century. Now the turn of the fifteenth century witnessed the rise by its side, or rather in conflict with it, of positive theology based on the study of the Scriptures, the Fathers and the Councils in the original texts. The old was still in conflict with the new, for no satisfactory compromise had been reached at the moment when the innovators began to point new weapons at traditional scholasticism as well as at the ancient Church. While still in process of transformation theology saw itself compelled to defend not only its own existence and its methods but likewise the faith of which it had the guardianship. This accounts for the hesitation as to whether, and to what extent, one might tactically meet the opponents in the method of argumentation as well

<sup>1</sup> C. E. Förstemann, *Neues Urkundenbuch* (Hamburg 1842), pp. 34-41.

<sup>2</sup> Le Plat, VOL. II, pp. 98-114; Duplessis d'Argentré, *Coll. iud.*, VOL. I, ii, pp. 365-74.

<sup>3</sup> Duplessis d'Argentré, *Coll. iud.*, VOL. I, ii, pp. 397-400; cf. Feret, *La Faculté théologique*, VOL. II, pp. 152-63. Original sin, the seven sacraments and the principle of the Scriptures are missing.

as for the contrast between the "modern" and the "conservative" theologians which give to the Catholic defence a certain air of incoherence.<sup>1</sup>

The second difficulty was due to a widespread delusion about the relationship between the new errors and those of an earlier period. To regard Luther's teaching as no more than a rehash of all the old heresies was to block the approach to an understanding of their peculiarity and true nature. The fact that this or that particular proposition of Luther's had already been condemned by some earlier Council led all too easily to the conclusion that there was nothing new in what he taught; no need, therefore, of a searching examination of the logic of his ideas; all that was required was to put them by in the familiar pigeon-holes prepared for the purpose by such men as Epiphanius of Salamis and his successors! It was the task of controversial theology to correct these widely held notions<sup>2</sup> before it could enter upon its own characteristic task and so enable it to submit to a Council a full and accurate picture of the doctrinal divergence.

Pre-Tridentine controversial theology has long been looked at askance on account of its ill success in the field of propaganda. Up to 1525 the rising tide of Lutheranism owed much to the printing press. In fact, here we have the first instance of the use of the press for the purpose of directing public opinion and a consequent decisive influence on the course of history. The Catholic defence should have made use of this tool to the same extent in order to draw away from Luther the masses that flocked to him. This it failed to do. The one really popular writer in the Catholic camp, the Alsatian Franciscan Thomas Murner,<sup>3</sup> was unable to stem the flood-tide of hostile propaganda. Was his failure due to the lack of a genuinely popular style, or to the absence

<sup>1</sup> P. Polman, "La Méthode polémique des premiers adversaires de la réforme", in *R.H.E.*, xxv (1929), pp. 471-506.

<sup>2</sup> Under Clement VII in particular this notion was repeatedly advanced against the convocation of a Council, *C.T.*, vol. iv, pp. xli, lii; Lorenzo Campeggio in Laemmer, *Mon. Vat.*, p. 64; the papal representatives at the negotiations of Bologna, Sanudo, *Diarii*, vol. LVII, p. 499 f. Even Paul III himself was not wholly free from it, as is shown by his remark to Cifuentes, *N.B.*, vol. I, pt i, p. 515.

<sup>3</sup> The publication of Murner's biography by Th. von Liebenau, *Der Franziskaner Dr Thomas Murner* (Freiburg 1913), makes a fresh synthesis desirable, for our knowledge of his literary work has been greatly increased, especially through the critical edition of his German writings (Strasbourg-Berlin 1918 ff.), the revision of the controversial section of which was entrusted to W. Pfeiffer-Belli and P. Merker, as well as the editions by J. Lefftz in *Archiv für elsässische Kirchengeschichte*, I (1926), pp. 141 ff.; III (1928), pp. 97 ff., summed up by W. Pfeiffer-Belli in his "Thomas Murner im Schweizer Glaubenskampf", *Corp. Cath.*, vol. XXII (Münster 1939). Bibliography in Schottenloher, Nos. 16024-133.

of an appropriate organisation?<sup>1</sup> The experience of our own days discountenances the supposition: there are mass movements which are apparently irresistible.

It is doubtful whether a Görres, if such a man had been found among the sixteenth-century publicists, would have succeeded in arresting the Lutheran movement, hence we should not demand the impossible from controversial theology—it worked for the benefit of a later age. Although on the defensive and at first only a reaction, it prepared the way for and made a positive contribution to the dogmatic definitions of the Council of Trent. This preliminary work has not been adequately appreciated.

Before recounting the story of its achievement—the system of controversial articles—let us cast a glance at the men who contributed to it. It takes time before the eye is as it were able to distinguish the leading personalities in the confused hand-to-hand fighting of the first period. After the death in 1527 of Jerome Emser, court chaplain to Duke George of Saxony, the scene was dominated until 1550 by four men whom Johann von Kampen sarcastically described as Aleander's four evangelists<sup>2</sup> and for whom he nursed a particular hatred. They were Johann Eck, Johann Cochlaeus, Johann Fabri and Frederick Nausea.

Eck (d. 1543), the first of Luther's theological opponents,<sup>3</sup> was

<sup>1</sup> The suggestion of Jacob von Salza, Bishop of Breslau (1524), for the establishment of a Catholic centre of propaganda, perhaps at Leipzig, *Zeitschrift für Geschichte Schlesiens*, LXII (1928), p. 93, was not acted upon. In like manner the conversations in 1530 between Joachim I of Brandenburg, the Bishop of Lebus, Tommaso Camppeggio, Wimpina and the Dominican Horst von Romberg, with a view to the systematic publication of Catholic books, led to no practical result, J. Greven, *Die Kölner Kartause und die Anfänge der katholischen Reform in Deutschland* (Münster 1935), p. 71 f. Aleander's proposal (1532) that the Apostolic Camera should contribute 500 scudi annually (thus according to Vat. Arch., Germania, 51, fol. 169<sup>r</sup>, not 100 as Laemmer says in *Mon. Vat.*, p. 119) for the benefit of Catholic controversial theologians, was also made in vain. Cochlaeus's efforts to develop Wolrab's printing press at Cologne by means of private resources was doomed to failure, as were his attempts to counter the Lutheran propaganda in England, Scotland and Poland, *Z.K.G.*, XVIII (1897), pp. 245 f., 250, 283.

<sup>2</sup> *Z.K.G.*, XLIII (1924), p. 217, of the year 1536. In 1532 Aleander himself mentioned, in addition to these four, Ludwig Ber, a theologian of Freiburg, Laemmer, *Mon. Vat.*, p. 119. Cardinal Cles (1533) and Morone (1538) speak in the same terms of the above-mentioned four, *N.B.*, VOL. I, PT I, pp. 84, 88 f.; *A.R.G.*, I (1903), p. 378.

<sup>3</sup> The biography by Th. Wiedemann, *Dr Johann Eck*, is out of date (Ratisbon 1865). J. Greving had planned a new one, but died without having carried out his design. The list of his writings by J. Metzler in *Corp. Cath.*, VOL. XVI, pp. lxxi-cxxii; reprints of some of Eck's works in *Corp. Cath.*, VOLS. I, II, VI, XIII, XIV, and in W. Gussmann, *Quellen und Forsch.*, VOL. II (Kassel 1930). Further literature in Schottenloher, Nos. 5184-244. There is an excellent character-sketch of Eck by Morone in *H.ſ.*, IV (1883), p. 449. The details on his parochial activities are based on J.

passionately fond of controversy. He was well-read, sagacious, unbeaten in dispute, endowed with an impeccable memory, but coarse, sensual, a deep drinker, a witty conversationalist, sure of himself to the extent of arrogance and an enemy of compromise. Through his *Enchiridion* and his four volumes of sermons he achieved far more than as a lecturer at Ingolstadt. However, our portrait of the man would be incomplete did we not add that notwithstanding his many interests he discharged his duties as parish priest of the church of Our Lady of Ingolstadt zealously and conscientiously. Within a period of six years he preached no less than four hundred and fifty-six sermons; he had at heart the beauty and dignity of the liturgical services and nothing was too small for him to attend to. The question has been asked, what might not such a man have done for the Catholic cause had he occupied a bishop's chair? But this raises another query, namely whether this theological gladiator did not frequently deal more blows than was either useful or necessary?

Cochlaeus (d. 1552)<sup>1</sup> was a born schoolmaster, but the needs of the Church drove him to journalism in which his output was unsurpassed by any other publicist. His acquaintance with scholastic theology was modest enough, but he was well read in humanistic literature. This enabled him to quote many an ancient text with which to confute Luther. His commentaries on the heresiarch's writings—the fruit of his literary campaigning—influenced Catholic thought on Luther for centuries. No one worked harder for the creation of a Catholic press; no one surpassed this emotional Franconian's spirit of self-sacrifice and selfless loyalty to the Catholic cause.

In contrast with the pretentious Eck the Swabian Fabri (d. 1541)<sup>2</sup>

Greving, *Johann Ecks Pfarrbuch für U. L. Frau in Ingolstadt* (Münster 1908). For his significance for the Council of Trent, cf. H. Schauerte in *Theologie und Glaube*, XIX (1918), pp. 133-8.

<sup>1</sup> Authoritative biography and list of writings by M. Spahn (Berlin 1898); for his beginnings H. Jedin, *Des Johannes Cochlaeus Streitschrift "De libero arbitrio hominis"* (Breslau 1927). A critical study of the Luther biography by A. Herte, *Die Lutherkommentare des Johannes Cochlaeus* (Münster 1935); the same, *Das katholische Lutherbild im Banne der Lutherkommentare des Cochlaeus*, 3 parts (Münster 1943). Reprints of Cochlaeus's works in *Corp. Cath.*, VOLS. III, XV, XVII, XVIII, and *C.T.*, VOL. XII, pp. 166-208. The letters published since Spahn wrote are grouped in *R.Q.*, XXXV (1927), p. 447. Two more have been published by H. Hoffmann in *Archiv für schlesische Kirchengeschichte*, V (1940), pp. 217 ff. Further literature in Schottenloher, Nos. 2986-3033.

<sup>2</sup> Jakob Ziegler's account of 16 February 1522 in Erasmus, *Epist.*, VOL. V, p. 20 f. The most recent biography with list of writings is that by L. Helbling, *Dr Johann Fabri* (Münster 1941). The "Malleus" edited by A. Naegle is in *Corp. Cath.*, VOLS. XXIII and XXIV (Münster 1941). Outwardly, according to Scheurl (*Briefbuch*, VOL. II, p. 234), Fabri had "nescio quid fabrilis magis quam ingenii acumen; vestis aliquantulum lacera ne dicam uncta", cf. Schottenloher, Nos. 5950-63.

impressed everyone he came in contact with during his stay in Rome by his discretion and reserve. Unlike Eck he was not on fire with hatred for Luther, and though he lacked the former's business ability his progress was all the more assured. As Vicar General of the extensive diocese of Constance he was Zwingli's most distinguished opponent. In 1530 he was raised to the See of Vienna. His influence as ecclesiastical-political adviser to King Ferdinand as well as to the Curia was greater than anyone else's. His writings are packed with erudition, but they cannot compare with those of Cochlaeus as regards quantity or with those of Eck in respect of their value.

Nausea (d. 1551),<sup>1</sup> a Franconian by birth and a good deal younger than the other three just mentioned, stands on the line of demarcation between pure controversial theology and Catholic reform. It is not just chance that he should have died at the Council of Trent. He is a preacher rather than a theologian, a humanist rather than a scholastic. He passes without harsh transition from a sharp polemical tone to a calm and even conciliatory examination of the opinions of his opponents. He entered the lists at a later period and was accordingly less handicapped than the others. As Fabri's successor in the See of Vienna he inherited his predecessor's ecclesiastical-political influence. He used it in order to convince the Roman authorities of the necessity of a thorough reform. By reason of his catechism he is one of the forerunners of St Peter Canisius.

The influence of these four men on the course of events was due to the fact that they worked in close association with the Curia and its representatives in Germany. As one peruses their numerous letters to Aleander, Campeggio, Cervini and Morone,<sup>2</sup> it is difficult to resist an impression that their writings, memorials and other suggestions were as a rule accepted with thanks but rarely acted upon. The Curia did

<sup>1</sup> Nausea still lacks a competent biography. That of J. Metzner, *Friedrich Nausea von Waischenfeld, Bischof von Wien* (Ratisbon 1884), is inadequate. There is copious material in Cardauns, *Bestrebungen*, pp. 39-52, 150-200. The great reform tract is in *C.T.*, VOL. XII, pp. 364-426; cf. Schottenloher, Nos. 16313-22.

<sup>2</sup> W. Friedensburg, "Beiträge zum Briefwechsel der katholischen Gelehrten Deutschlands im Reformationsalter", in *Z.K.G.*, xvi (1896), pp. 470-99—twelve instalments in *Z.K.G.*, the last in xxiii (1902), pp. 438-77. These 280 letters addressed to Eck, Cochlaeus, Fabri, Nausea, Ludwig Ber, Otto Brunfels, Wolfgang Capito, Albert Pighuis, Robert Wauchope are by far the most important publication on the joint activity of the controversial theologians and the Curia. Morone's list of 1536, *N.B.*, VOL. I, PT II, p. 68, includes, besides the four, the Dominicans Köllin, Dietenberger, Bernhard von Lützelburg, the Franciscan Herborn, the Ingolstadt professor Leonhard Marstaller and the two converts Haner and Witzel. The list forwarded to Rome by Campeggio in 1540 also includes the names of Mensing, Pelargus, Holding, Kugele of Freiburg, Pighius and Hoetfilter. *N.B.*, VOL. I, PT VI, pp. 293-6.

very little to further their work or to improve their material situation.<sup>1</sup> The powerful prince-bishops and the wealthy abbots of Germany did even less. The man who plied his pen in the defence of the ancient Church was usually left to fend for himself as best he could.

The part played by the German theological faculties in the defence of orthodoxy is a modest one, though it would be unfair to say that the university divines proved a complete disappointment. Eck was a professor of theology and the faculty of Cologne was first in the field against Luther, while that of Tübingen sent as many as four of its members to the disputation of Baden.<sup>2</sup> In 1528 Conrad Wimpina, of the University of Frankfurt on the Oder, published a mighty folio entitled *Anacephalaeosis*,<sup>3</sup> the greater part of which is aimed at Luther. A perusal of the work shows quite clearly that Thomistic theology greatly facilitated the refutation of the new teaching. Recent research has once more demonstrated the fact that a study of the writings of controversial theologians of the nominalistic school may greatly contribute towards a better understanding of Luther.<sup>4</sup>

All the above-mentioned men were secular priests, but lay theologians were not wanting. Among the latter we must count Henry VIII by reason of his book on the Seven Sacraments, Duke George of Saxony who wrote in defence of the doctrine of the Eucharist,<sup>5</sup> Count Alberto Pio of Carpi, and Contarini. However, the great mass of

<sup>1</sup> Although a bishop, Fabri was so poor that his opponents pointed their fingers at him and mockingly asked: "Ubi est Deus eorum?" Vergerio, 13 March 1533, *N.B.*, VOL. I, PT I, p. 95. Four years later Morone established the fact that the majority of the controversial theologians were "veramente poveri" (*N.B.*, VOL. I, PT II, p. 84) and obtained some material aid for them (*ibid.*, pp. 196, 209), but on 12 March 1540 Eck nevertheless wrote to Contarini (*Z.K.G.*, XIX (1899), p. 254): "Under Leo X a certain factotum (*scopetarius*) in Rome boasted that he held 39 benefices and a provostship. I have been a professor of theology for 39 years and of philosophy for 10, but I have never succeeded in obtaining even the most modest of provostships." Yet though he could not afford a secretary Eck was better off than Nausea, who had to face a four years' lawsuit with an Apostolic scribe for the only benefice he enjoyed, *Z.K.G.*, XX (1900), p. 513, though his income from it was so slender that often enough, when on a journey, he literally starved (*ibid.*, p. 539).

<sup>2</sup> J. Haller, *Die Anfänge der Universität Tübingen*, VOL. I (Stuttgart 1927), p. 319. For Jakob Lemp, "the dear old sophist" whom the pamphlet *Die Lutherische Strebkatz* (Schade, *Satiren*, VOL. III, p. 124) names in the same breath as Emser, Eck, Fabri and others, see Haller, *Anfänge*, VOL. I, p. 195 f.; VOL. II, p. 71.\* Other accusations against Lemp are in the *Schöner Dialogus*; Schade, *Satiren*, VOL. II, p. 119 f.

<sup>3</sup> Biography by J. Negwer, *Conrad Wimpina, ein katholischer Theologe aus der Reformationszeit, 1460-1531* (Breslau 1909), with list of writings (62 items).

<sup>4</sup> O. Müller, *Die Rechtfertigungslehre nominalistischer Reformationsgegner* (Breslau 1940).

<sup>5</sup> H. Becker, "Herzog Georg von Sachsen als kirchlicher und theologischer Schriftsteller", in *A.R.G.*, XXIV (1927), pp. 161-269.



controversial theologians were members of the religious Orders, chiefly the mendicants—the Dominicans being in the front rank <sup>1</sup> in the persons of the Cologne professors Jacob Hochstraten and Conrad Köllin, the excellent and at the same time popular Johann Dietenberger of Frankfurt and the Hessian Ambrose Pelargus whom we shall meet again at the Council of Trent. Johann Faber of Augsburg, of whom we have already spoken, and men like Johann Mensing and Michael Vehe who took part in the religious “colloquies” prove that the Order of Friars Preachers was not by any means the citadel of intransigence of the popular imagination. The Franciscans produced one of the very first opponents of Luther in the person of Augustine Alveld and one of the most understanding in that of Caspar Schatzgeyer, a man of wide information and calm judgment.<sup>2</sup> Nicholas Herborn was also of more than local significance.<sup>3</sup> Prominent among the Hermits of St Augustine were Luther’s former teacher Bartholomew Usingen and the Provincial Johannes Hoffmeister.<sup>4</sup> Outstanding personalities among the Carmelites were the two Provincials Eberhard Billick and Andreas Stoss.<sup>5</sup> Most of these men took up their pens on some local occasion, in defence of the Catholic cause against measures taken by heretical authorities or to ward off the attacks of the preachers, but by doing so they helped to clarify the whole theological situation.

From the standpoint of intrinsic value the Louvain group is unsurpassed. It included men like Jacob Latomus, an opponent of Luther

<sup>1</sup> Besides N. Paulus, *Dominikaner*, cf. H. Wilms, *Der Kölner Universitätsprofessor Konrad Köllin* (Cologne-Leipzig 1941).

<sup>2</sup> Biography of Alveld by L. Lemmens, *Pater Augustinus von Alfeld* (Freiburg 1899); G. Hesse in *Franziskanische Studien*, xvii (1930), pp. 160-78; two tracts in *Corp. Cath.*, vol. xi (Münster 1926). Biography of Schatzgeyer by N. Paulus, *Konrad Schatzgeyer* (Freiburg 1899); his *Scrutinium*, edited by U. Schmidt in *Corp. Cath.*, vol. v (Münster 1929); for an appreciation of his theological teaching, see O. Müller, *Die Rechtfertigungslehre nominalistischer Reformationsgegner*, pp. 74-161, and V. Heynck in *Franziskanische Studien*, xxvii (1941), pp. 129-51.

<sup>3</sup> L. Schmitt, *Der Kölner Theologe N. Stagefyr und der Franziskaner N. Herborn* (Freiburg 1899); *Confutatio Lutheranismi Danici*, ed. L. Schmitt (Quaracchi 1902); the *Loci communes*, newly published in *Corp. Cath.*, vol. xii, will be discussed further on. For Konrad Kling, who worked at Erfurt, cf. H. Bückner in *Franziskanische Studien*, xvii (1930), pp. 273-97. The Franciscans’ share in the work is summed up by H. Holzapfel, *Handbuch der Geschichte des Franziskanerordens* (Freiburg 1909), pp. 468-79.

<sup>4</sup> Biography of Usingen by N. Paulus, *Der Augustiner Bartholomäus Arnoldi von Usingen* (Freiburg 1893); also O. Müller, *Die Rechtfertigungslehre nominalistischer Reformationsgegner*, pp. 12-73; *id.*, *Der Augustinermönch Johannes Hoffmeister* (Freiburg 1891).

<sup>5</sup> A. Postina, *Eberhard Billick* (Freiburg 1901); R. Schaffer, *Andreas Stoss, Sohn des Veit Stoss, und seine gegenreformatorische Tätigkeit* (Breslau 1926).

for whom the heresiarch himself had the greatest respect; John Driedo, noted both for his methodology and his teaching on grace, and lastly Ruard Tapper, who assisted at the Council of Trent in the capacity of dean of the university.<sup>1</sup> Albert Pighius (Pigge) was a graduate of Louvain but did not belong to the Louvain group. He made a name for himself by his book on the ecclesiastical hierarchy and by his teaching on grace.<sup>2</sup> However, as regards the influence they exerted all these writers were surpassed by the Martyr-Bishop John Fisher,<sup>3</sup> one of those rare controversialists who do not merely fight but persuade, because they look for the vein of gold even in an opponent. The bishop was deeply read in the Fathers. As early as 1523 he came to the conclusion that Luther was definitely lost to the Church. His books, the *Confutatio* of which we shall speak presently, and his defence of the Catholic doctrine of the Eucharist and a special priesthood were frequently quoted at Trent.

The imposing number of Italian controversial divines, whose life and work has been described by Lauchert,<sup>4</sup> was not uniformly matched by their intrinsic worth, but among them there is a star of the first magnitude, namely Thomas de Vio, better known as Cardinal Cajetan. Cajetan's bitter opponent, Ambrosius Catharinus of Siena, was one of the most prolific writers of the period. Cardinal Sadoletto was the perfect type of the peacemaker. France and Spain remained in the background during the pre-Tridentine period. The Fleming Jost Clichtove, who lived in Paris, is the author of a work entitled *Antilutherus*. He had but a small following in France,<sup>5</sup> where the

<sup>1</sup> H. de Jongh, *L'Ancienne Faculté de théologie de Louvain 1432-1560* (Louvain 1911), pp. 148-86; the older literature on Driedo in R. Draguet, "Le Maître louvaniste Driedo inspirateur du décret de Trente sur la Vulgate", in *Miscellanea historica*, A. de Meyer, VOL. II (Louvain 1946), pp. 836-57. H. Peeter, *Doctrina Johannis Driedonis a Turnhout de concordia gratiae et liberi arbitrii* (Malines 1938). F. Pijper, *Bibliotheca reformatoria Neerlandica*, VOL. III (The Hague 1905), two controversial works of Eustace of Sicheu.

<sup>2</sup> H. Jedin, *Studien über die Schriftstellertätigkeit Albert Pigges* (Münster 1931).

<sup>3</sup> See BOOK II, Ch. vi, p. 303, n.3. The *Sacri sacerdotii defensio* ed. H. Klein-Schmeink in *Corp. Cath.*, VOL. IX (Münster 1925).

<sup>4</sup> F. Lauchert, *Literarische Gegner*, describes the life and writings of sixty-six theologians. See also J. Schweizer, *Ambrosius Catharinus Politus* (Münster 1910). M. J. Congar, *Bio-bibliographie de Cajétan* in the collection *Cajétan* (Paris 1935), pp. 3-49; the tract *De divina institutione pontificatus Romani pontificis*, ed. F. Lauchert, *Corp. Cath.*, VOL. X (Münster 1925). Th. Freudenberger, *Augustinus Steuchus und sein literarisches Lebenswerk* (Münster 1935).

<sup>5</sup> Biography by J. A. Clerval, *De J. Clichtovii Neoportuensis vita et operibus, 1472-1543* (Dissertation, Paris 1894). On the *Apologia* (1523) of the Dominican Lambertus Campester, cf. Jedin, *Des Johannes Cochlaeus Streitschrift*, p. 24 f.; the Sorbonnists Hieronymus Hangest and Robert Cenau also wrote against Luther and Bucer; Hurter,

theological defence only got under way at a later period when it became necessary to counter Calvinist propaganda. Alfonso de Castro's *Adversus haereses*, published some time before the Council, is an excellent product of Spanish theology whose greatest activity coincides with the actual progress of that assembly with such works as Domingo Soto's book on grace, Martin Perez's on tradition and Melchior Cano's *Loci theologici*. Only in the era of the Council of Trent did a regenerated scholasticism take a firm lead in Spanish controversial theology under the influence of Francisco de Vitoria.

In our account of the conciliar discussions we shall have occasion to describe what was done by the pre-Tridentines both for the refutation of Luther and for the establishment of the Catholic standpoint; for the moment we must be content with an examination of the process by which the system of the "controversial articles" as a whole came into being. As regards Luther, the system met with special difficulties because unlike Zwingli, and especially unlike Calvin, Luther never reduced his ideas to a system. Like all men of action he wrote under pressure of circumstances; even the *Assertio omnium articulorum*, which he published at the close of the year 1520 by way of a reply to the Bull *Exsurge*,<sup>1</sup> does not provide a complete presentation of his teaching, with the consequence that the Catholic refutations by Hochstraten, Cochlaeus and Wimpina often enough merely fasten on particular points. However, the most comprehensive of these works, namely John Fisher's *Confutatio*, actually served as a compendium of Lutheranism and as a manual for its refutation right up to the time of the Council of Trent, more particularly in Germany. On the other hand Melanchthon's *Loci communes*,<sup>2</sup> "the first dogmatic manual of Protestantism" published a year after the *Assertio*, received but little

*Nomenclator*, VOL. II, p. 1275; Feret, *La Faculté théologique*, VOL. II, pp. 42-51. The few Spanish writers who intervened in the controversy previous to the Council of Trent were moved to do so for the most part when they were out of Spain, for instance Alphonsus Ruiz Virvesius in Germany, Alphonsus de Herrera while in France, Hurter, *Nomenclator*, VOL. II, p. 1461.

<sup>1</sup> *L.W.*, VOL. VII, pp. 95-151. For the Catholic refutations, see Jedin, *Des Johannes Cochlaeus Streitschrift*, pp. 25 f., 32 ff. John Fisher's *Confutatio* in his *Opera* (Würzburg 1597), pp. 272-744.

<sup>2</sup> Besides the edition in *Corp. Ref.*, cf. Plitt-Th. Kolde, *Die loci communes Philipp Melanchthons in ihrer Urgestalt* (4th edn., Leipzig-Erlangen 1925). They were used, e.g. by Bart. Guidiccioni, in the draft for a new Bull against Luther, *C.T.*, VOL. XII, p. 234 f. (ca. 1538). It is most significant that the Italian translation published under a pseudonym could be sold in Italy—including Rome—for a whole year without interference; Tacchi Venturi, *Storia della Compagnia di Gesù in Italia*, (Rome 1910), VOL. I, i, p. 435.

attention and Cochlaeus's warning against the influence of the *Praeceptor Germaniae* fell on deaf ears. It was only in 1525 that Weissenhorn of Landshut published Eck's *Enchiridion*, a compendium of the Catholic controversial articles and a work free from polemics against any specific writing of Luther.<sup>1</sup> Inclusive of German, Flemish and French translations, the book appeared in ninety-one editions up to the year 1600. Its peculiarity consists in that it starts from the authority of the Church and the papal supremacy (articles 1-4) and treats rather briefly of justification (only the question of faith and works is touched upon) and the sacraments (5-11). It then proceeds to describe those doctrines and observances which most clearly marked the divergence between the Catholic Church and the Protestant communities then in process of formation, namely the Mass, the veneration of saints and their images, monastic vows, clerical celibacy, the doctrine of Purgatory, indulgences (art. 12-27). In this latter part there is a chapter on the cardinals, immunity, annates—hence a defence of the Curia against the German *gravamina*—and even a section on the war against the Turks. The *Enchiridion* thus provides a summary of all those things for which the Lutherans blamed the ancient Church while it clarifies the Catholic standpoint without losing itself in lengthy arguments. Each article is headed by a statement of the Catholic standpoint, the opponents' objections follow and their refutation concludes it.

By reason of its conciseness and lucid arrangement Eck's *Enchiridion* is superior to Fabri's *Malleus*, first published in Rome in 1522.<sup>2</sup> Fabri also starts from the doctrines of the Church and papal supremacy; his teaching on these points is even more emphatic than Eck's. He then gives lengthy extracts from Luther's writings which he proceeds to refute with a lavish display of patristic erudition, with the consequence that, much more than the *Enchiridion*, the *Malleus* bears the stamp of a mere polemical pamphlet.

It is matter for regret that the "German Theology" of Bishop Berthold Pirstinger of Chiemsee,<sup>3</sup> published in 1528 at the suggestion of Cardinal Lang of Salzburg, did not enjoy a wide circulation. The work presented a perfectly objective exposition of the nature of faith

<sup>1</sup> Some of the later editions have been considerably enlarged; complete list in *Corp. Cath.*, vol. XVI, pp. xci-cii.

<sup>2</sup> Critical edition by A. Naegle, *Corp. Cath.*, vols. XXIII and XXIV; cf. Helbling, *Dr Johann Fabri*, p. 14 f.

<sup>3</sup> W. Reithmeier, *Bertholds, Bischofs von Chiemsee, Teutsche Theologie* (Munich 1852).

and justification. Almost half of the fair-sized volume is devoted to the doctrine of creation, original sin, the merits of Christ, grace, while such subjects as the Church, the sacraments, the veneration of the saints and so forth are by no means omitted. This is also true of Herborn's *Enchiridion*,<sup>1</sup> a work of about the same size as Eck's. Herborn did not commit Eck's mistake of treating the question of salvation only incidentally; on the contrary, he provides an objective statement of the doctrinal divergences without involving himself in a discussion of the opponents' standpoint. But this was not enough. Moreover, the book only appeared in 1529—too late therefore to supersede the already popular manual of Luther's famous opponent.

Zwingli's rise at Zürich and that of Oecolampadius at Basle brought into the fray not only local champions such as Joachim am Grüt, Jacob Edlibach, Augustinus Marius,<sup>2</sup> but likewise celebrities like Eck, Fabri, John Fisher and Cardinal Cajetan. The Catholic party was not slow in realising that a new brand of Protestantism had made its appearance in Switzerland. No one pointed out the distinctive features of Zwingli's teaching, viz. the whittling down of original sin into a mere hereditary disease, the symbolic interpretation of the words of the institution of the Eucharist, the condemnation of images, with a surer finger than did Eck in the theses written for the Disputation of Baden (1526)—that "Diet of Worms" of the Swiss schism.<sup>3</sup> However, the fact remains that Zwingli's only comprehensive statement of his standpoint in his *Commentarius de vera et falsa religione* (1525)<sup>4</sup> did not receive the attention which the significance of its author called for. Even more surprising is the fact that controversial theologians ignored almost completely and for a considerable period the most outstanding systematic work of the whole Reformation period, namely Calvin's *Institutio* (1536), even after the appearance of the considerably enlarged second edition of 1539. They likewise failed to perceive that in this work

<sup>1</sup> Critical edition by P. Schlager, *Corp. Cath.*, VOL. XII (Münster 1927).

<sup>2</sup> J. Birkner, *Augustinus Marius* (Münster 1930), pp. 48-73.

<sup>3</sup> Eck's six theses in Gussmann, *Quellen und Forsch.*, VOL. II, p. 110; *ibid.*, p. 157, the pertinent literature; also Schottenloher, Nos. 41283c-97. Zwingli's controversial writings in *Corp. Ref.*, VOL. XCII, pp. 1-308. The second Zürich disputation (1523) had been about the Mass and the veneration of images; the acts are in *Corp. Ref.*, VOL. LXXXIX, pp. 651-803. Zwingli's sixty-seven final discourses for the first Zürich disputation (1523) and the ten discourses of Franz Kolb and Berthold Haller for that of Berne (1528) cover the entire ground but are formulated by Protestants. Texts in E. F. K. Müller, *Die Bekenntnisschriften der reformierten Kirche* (Leipzig 1903), pp. 1-6, 30 f.

<sup>4</sup> *Corp. Ref.*, VOL. XC, pp. 628-912, in twelve chapters.

Protestant thought had been cast into an entirely new mould.<sup>1</sup> For the Catholic controversialists the dispute over the Eucharist between the Swiss and Luther<sup>2</sup> was little more than a welcome opportunity for adding yet another item to the tally of Luther's inconsistencies—the Protestants' lack of unity among themselves.<sup>3</sup> The latter's fight against the Anabaptists was exploited by them in the same manner.

In addition to the attempts to define doctrinal divergence within the entire sphere of dogma described above, the method of extracts, which had been in use from the beginning, became an established practice. In 1526 Cochlaeus extracted no less than five hundred erroneous propositions from Luther's writings,<sup>4</sup> while Fabri boasted in 1530 that he had collected more than six hundred.<sup>5</sup> In his *Praeparatoria* he demanded that an official collection of the errors of Luther, Zwingli and the Anabaptists should be made and, if possible, printed for the benefit of the Council.<sup>6</sup> No such list was ever drawn up officially, but one private catalogue of the kind, namely the four hundred and four articles which Eck submitted to the Emperor previous to the Diet of Augsburg,<sup>7</sup> is of historic significance because it led Melanchthon to shape his apologia of the German reformation into a Lutheran profession

<sup>1</sup> The various editions of the *Institutio in Corp. Ref.*, VOLS. XXIX-XXXII. The new edition of the final formulation of 1559 in *J. Calvini Opera selecta*, edd. P. Barth and G. Niesel, VOLS. III-V (Munich 1928 ff.), is important for us because it endeavours to identify the Catholic authors quoted—that is, combated—by Calvin. I do not deny that some particular points of Calvin's teaching have been discussed by Catholic writers even in the pre-Tridentine period, for instance the doctrine of the freedom of the will, by Pighius; cf. Jedin, *Studien über die Schriftstellertätigkeit Albert Piggies*, pp. 40 ff.

<sup>2</sup> W. Köhler, *Zwingli und Luther: Ihr Streit über das Abendmahl nach seinen politischen und religiösen Beziehungen*, VOL. I (Leipzig 1924). This is a work of capital importance in which Catholic controversial literature receives adequate consideration.

<sup>3</sup> For Luther's self-contradictions, see e.g. Cochlaeus's *Lutherus Septiceps* (1527), Fabri's *Antilogiae* (1530), cf. Helbling, *Dr Johann Fabri*, p. 144 f. The Catholics' treatment of the Protestants' mutual contradictions would deserve a separate study. As an example, cf. Hoffmeister's confrontation of the views of Oecolampadius and Bucer on the Canon of the Mass with those of the Lutherans, *Corp. Cath.*, VOL. XVIII, p. 141.

<sup>4</sup> *Articuli CCCCC Martini Lutheri* (Cologne 1525); see Spahn, *Johannes Cochlaeus*, bibliography, No. 34.

<sup>5</sup> Helbling, *Dr Johannes Fabri*, p. 97; cf. *Z.K.G.*, XX (1900), p. 254 f.

<sup>6</sup> *C.T.*, VOL. IV, p. 11 f. (n.12 and n.17); Laemmer, *Mantissa*, p. 150, on the negotiations for reunion.

<sup>7</sup> Excellent edition by W. Gussmann, *Quellen und Forsch.*, VOL. II. The first part (1-65) includes the forty-one propositions of the Bull *Exsurge* and the theses of the disputations of Leipzig, Baden and Berne. The further division into dogmatic (66-168), ecclesiastical (169-331) and social and political errors is extremely questionable.

of faith under the title of *Confessio Augustana*.<sup>1</sup> The first part of that work, which is also the dogmatic section, mainly rests on the articles of Schwabach drawn up by Luther in 1529. It treats of sin and justification, defines the concept of the Church (arts. 7, 8, 14, 16), discusses the three sacraments—Baptism, Eucharist, Penance—(arts. 9-13), ritual (art. 15) and in the conclusion touches on three controversial points, viz. free will, the formula “faith and works” and the veneration of the saints (arts. 18-21). The whole of the second part (arts. 23-28) is a defence of the “reforms” based on the articles of Torgau, namely Communion in both kinds, the marriage of priests, the suppression of monasteries, the reduction of holy days, the alteration of the character of the Mass and the limitation of ecclesiastical authority to the ministry of preaching and the administration of the sacraments. The Dominican Peter Rauch’s opinion of the adherents of the *Confessio* was not far wrong when he wrote in 1533 that they had “gemeiniglich in allen Artikeln anders geschrieben und gelehrt denn sie jetzund in ihrer Confessio bekennen” (in all their articles they have written and taught otherwise than they now profess in their *Confessio*).<sup>2</sup> The tendency of that document to attenuate differences made possible its use as a basis for reunion negotiations, but it had little to recommend it for the discussion of controversial questions. For this reason, apart from the official *Confutatio*, it was only rarely refuted by Catholic writers.<sup>3</sup>

A very different spirit breathes in the Articles of Schmalkalden. These were drawn up by Luther himself towards the end of 1536, by command of the Elector of Saxony in view of the convocation of the Council of Mantua and after thorough discussion with seven divines of repute.<sup>4</sup> Among these articles there were four of which Luther said

<sup>1</sup> Müller, *Die Bekenntnisschriften der evangelisch-lutherischen Kirche* (Göttingen 1930), pp. 31-137.

<sup>2</sup> The passage from the *Antilutherus* (1533) in Paulus, *Dominikaner*, p. 47.

<sup>3</sup> Contarini’s *Confutatio* in *Corp. Cath.*, VOL. VII, pp. 1-22. Nausea’s memorial for the negotiations for reunion in Cardauns, *Bestrebungen*, pp. 157-93; for Hoffmeister’s *Iudicium*, cf. Paulus, *Der Augustinermönch Johannes Hoffmeister* (Freiburg i.B. 1891), p. 390; on Peter Rauch’s *Antithesis* (1533) and Johann Mensing’s book against articles 3 and 4 (1535), see Paulus, *Dominikaner*, pp. 40 ff., 46 ff.

<sup>4</sup> Critical edition of the text in Müller, *Die Bekenntnisschriften*, pp. 405-68. For its origin, H. Volz, *Luthers Schmalkaldische Artikel und Melanchthons Traktat “De potestate papae”* (Gotha 1931). In *Corp. Cath.*, VOL. XVIII, Volz has given a critical edition of the refutations by Cochlaeus, Witzel and Hoffmeister. As soon as the Articles appeared Cochlaeus wrote to Morone (*Z.K.G.*, XVIII (1897), pp. 288): “Apertis itaque verbis praecidit nobis omnem concordiae spem, quantum in ipso est.” Melanchthon’s *Apologia* with its lengthy discussion of the concept of sacrifice, etc., had worked to the same end, Müller, *Die Bekenntnisschriften*, pp. 358-71. The

that from them "there must be no deviation, or yielding, though heaven and earth fall to pieces". They are (1) justification by faith alone; (2) the abolition of the sacrifice of the Mass since it is irreconcilable with the first and chief article and drags after it a dragon's tail of errors, such as the doctrine of Purgatory, prayers for the dead, veneration of the saints and their relics, indulgences; (3) the suppression of the monasteries, and (4) the abolition of the papal supremacy. On the remaining articles—the sacraments included—Luther was willing to "negotiate", that is to argue about, at a Council. Luther knew quite well where lay the kernel of the dogmatic divergence, much more clearly in fact than Melanchthon, who did not agree with the wording of the article on the Papacy and accordingly submitted an opinion of his own under the title *De potestate Papae*, which was subsequently embodied in the profession of faith of the Evangelical-Lutheran Church. The formulation of the article on the Lord's Supper caused Melanchthon to fear a recrudescence of the recently settled conflict with the North Germans and the Swiss. As a matter of fact, the latter had gone their own way in their "Confessions". To the "Confession of the four cities" (*Tetrapolitana*) which they had submitted at Augsburg there came to be added the "Confession of Basle" in 1534 and the first "Helvetic Confession" in 1536. These shared the fate of the *Confessio Augustana*—small attention was paid to them by controversial theology.

Towards the end of the fifteen-thirties controversial literature underwent an internal change. Mere polemics abated and the new positive theology (*Verkündigungstheologie*) emerged. The flood of publications subsided, the great oratorical and literary duels ended. Catholics realised at last that what the faithful needed was positive instruction. Catholic collections of sermons on questions in dispute appeared in considerable numbers.<sup>1</sup> The day of the catechism had dawned—that of the popular variety as well as the fuller one destined for the pastoral

*Tetrapolitana* in Müller, *Die Bekenntnisschriften*, pp. 55-78; *ibid.*, the Confession of Basle and the first Helvetic Confession, pp. 95-109.

<sup>1</sup> The most widespread was the collection of Eck's sermons in five volumes: Vols. I and II comment on the Sunday gospels (1530); Vol. III on those of the feast days (1531); Vol. IV treats of the sacraments (1534); Vol. V of the ten commandments (1539), *Corp. Cath.*, VOL. XVI, No. 68. For Nausea's *Quattuor Centuriae* (1532), Hurter, *Nomenclator*, VOL. II, p. 1405. In 1528 Fabri published sermons on the eight beatitudes and in 1529 on the Eucharist, see Helbling, *Dr Johann Fabri*, bibliography Nos. 33 and 35. Hoffmeister's homilies on the gospels in two volumes saw eleven editions, Paulus, *Hoffmeister*, p. 388 f. The widely diffused postils of Dietenberger and Wild belong to a later period.



clergy. There was no mistaking the influence of the Lutheran catechism. In 1535 the convert Witzel wrote the first German catechism. Two years later he was followed by Dietenberger, who had been admirably prepared for the task by the publication of a lengthy series of popular controversial writings and a German translation of the Bible.<sup>1</sup> Here we need only mention the larger compendiums for the clergy, drawn up in the main on the same lines as the popular catechisms and dealing with the usual doctrinal subjects, such as the Creed, the seven sacraments, the Lord's prayer and the ten commandments. Gropper's *Enchiridion*, which forms an appendix to the decrees of the Synod of Cologne of 1536, has been described as "the most complete dogmatic treatise of pre-Tridentine theology". This work was soon followed by Nausea's great catechism (1543)<sup>2</sup> and by Filippo Archinto's "Edict" (1545).<sup>3</sup> The traditional type of controversial writing, such as the *Controversiae* (1542) of Pighius and Hoffmeister's *Loci communes* (1547),<sup>4</sup> did not disappear altogether, but its character and aim took a definitely constructive turn.

The transition to positive teaching appears most clearly in the twenty-nine theses prescribed for the guidance of preachers by the University of Paris on 18 January 1542<sup>5</sup> and in the thirty-two theses formulated with the same end in view by the University of Louvain in 1544.<sup>6</sup> Neither of these documents condemns any specific error; both state the Catholic standpoint so as to provide preachers with a solid basis for the proclamation of the word of God. Lastly, the fifty-nine theses to which the University of Louvain obliged its professors to subscribe on 8 December 1544<sup>7</sup> constitute the most thorough and most logical summary of the doctrines in dispute of the whole of the pre-Tridentine era. From the doctrine of original sin (1-8) they go on to justification by Baptism and Penance—with special reference to the

<sup>1</sup> J. Wedewer, *Johann Dietenberger* (Freiburg 1888), p. 207; text in C. Moufang, *Katholische Katechismen des 16. Jahrhunderts in deutscher Sprache* (Mainz 1881), pp. 1-105. On Gropper, see above, p. 368, n.2.

<sup>2</sup> Metzner, *Friedrich Nausea*, p. 76 f.; Part VI is an introduction to the liturgy.

<sup>3</sup> Lauchert, *Literarische Gegner*, pp. 467-73. Strangely enough the Church and the primacy are not discussed.

<sup>4</sup> According to Paulus, *Hoffmeister*, p. 388, it was disseminated in thirteen editions. Pigge's *Controversiae* saw six editions, H. Jedin, *Studien über die Schriftstellertätigkeit Albert Pigges*, pp. 34 ff. In the preface Pighius explains his purpose: "Controversias ita explicavimus ut evidens faceremus ex qua parte in singulis staret orthodoxa catholicaque veritas."

<sup>5</sup> Duplessis d'Argentré, *Coll. iud.*, vol. I, ii, pp. 413-15.

<sup>6</sup> Le Plat, vol. III, pp. 250-4.

<sup>7</sup> There is no article on scripture and tradition. H. de Jongh, *L' Ancienne Faculté de théologie de Louvain*, pp. 81\*, 89\*.

role of faith and the doctrine of merit (13-27)—and to the other sacraments, the Church and the Pope's supremacy (40-49). The concluding propositions are the familiar ones about veneration of the saints and their relics, indulgences and the vows of religion. We have here substantially the framework of the decrees of Trent. From the point of view of the history of theology they are the result of the labours of the controversialists of the preceding period.

In their own camp the pre-Tridentine divines received but scant recognition while their opponents bespattered them with gross abuse. One of the latter accused Eck of handing over his people and country to the "Babylonian slaughter-house".<sup>1</sup> Fabri, they alleged, had written against the abolition of the law of celibacy because he feared the loss of the six thousand florins which priests living in concubinage were said to be paying annually in fines.<sup>2</sup> Cochlaeus, whose life had never been clouded by the least breath of scandal, had his name associated with a certain "kessen Anna" (a brazen woman of the name of Anne). His latinised name gave a chance to the punsters who sought to make him look ridiculous by nicknaming him "snail" and "ladle".<sup>3</sup> When one of them came to die it was rumoured that he had died in despair, by his own hand, or that the devil had made away with him.<sup>4</sup> Johann von Kampen said that his "four evangelists", Eck, Fabri, Cochlaeus and Nausea, would rather see the rise of three new Luthers than the conversion of the existing one. Even Morone reproached them with reducing their Catholicism to hatred and abuse of Luther.<sup>5</sup> As a matter of fact, in the eighteenth century a whole lexicon of invectives was extracted from the writings of Cochlaeus. At this day we find the coarseness of most of the other champions intolerable, but we should bear in mind that the other side repaid in kind. Eck blamed his fellow

<sup>1</sup> *Ein schöner Dialogus*, 1521, probably written by Urbanus Rhegius, Schade, *Satiren*, VOL. II, p. 125. The "Karsthans" asserted that for the Leipzig disputation Eck had received 500 florins from the Pope, Clemen, *Flugschriften*, VOL. IV, p. 83 f. Of the filthy stories in the *Eckius desolatus* and the parody of the 404 articles printed in Gussmann, *Quellen und Forsch.*, VOL. II, pp. 199-203, we prefer to say nothing although there is some foundation for them inasmuch as Eck's moral conduct was not altogether irreproachable.

<sup>2</sup> *Die lutherisch Strebkatz* was composed in 1524, Schade, *Satiren*, VOL. III, p. 130; cf. also O. Clemen in *A.R.G.*, II (1904), pp. 78-93.

<sup>3</sup> *Gesprächbüchlein*, according to A. Götze in *A.R.G.*, v (1908), pp. 48 ff., written by Erasmus Alberus (1524); text in O. Clemen, *Flugschriften*, VOL. I, p. 334; the other *epitheta* in Schade, *Satiren*, VOL. III, p. 127.

<sup>4</sup> Summed up in N. Paulus, *Luthers Lebensende* (Freiburg 1898), pp. 5-20.

<sup>5</sup> Morone to Sadoletto, 25 March 1538, *A.R.G.*, I (1903), p. 378. For Johann von Kampen's observation see above, p. 394, n.2.

pugilists for undue speed in publishing their lucubrations.<sup>1</sup> He forgot that journalism must of necessity work at high speed. Pighius blamed them for abandoning too hastily the standpoint on which Tertullian had placed himself, an appeal, that is, to the fund of truth still held in common, and for arguing too much.<sup>2</sup> In one sense he was right, but in a discussion of any depth arguments from revelation could not be dispensed with. When we blame these men for seeing only the things that divided, and shutting their eyes to what was held by both parties,<sup>3</sup> the answer of the history of dogma is that the controversialists' most important duty was precisely to draw the line of demarcation. Did they fulfil this duty?

At the beginning of the conflict Hochstraten, anticipating the discoveries of his fellow-Dominican of our own time, Denifle, described Luther's teaching on original sin and concupiscence as the stumbling-block that caused him to trip.<sup>4</sup> This fundamental recognition was not sufficiently elaborated by later theologians; all too often they forgot that there was the source of every error in the doctrine of justification. Eck's *Enchiridion* compresses the doctrinal divergences on justification most one-sidedly into the formula "faith-works" and shifts the centre of gravity into the sphere of ecclesiasticism, so much so indeed that when van der Vorst, the conciliar nuncio, in the course of his travels in Germany, inquired which were the main controversial points he was given the following list<sup>5</sup>: (1) the papal supremacy; (2) the cult of the saints; (3) auricular confession; (4) Purgatory; (5) the Mass; (6) Communion in both kinds; (7) the veneration of images; (8) the administration of Baptism in Latin; (9) the vows of religion and clerical celibacy. Original sin and the doctrine of justification, that is the real causes of disagreement, were not mentioned at all, external and obvious divergences were alone considered.

It was the great merit of Gropper, Contarini and the rest of the

<sup>1</sup> *Z.K.G.*, XIX (1898), p. 263. The record was broken by Cochlaeus when in the summer of 1534 he published twelve pamphlets, eight in Latin and four in German, each of them in an edition of 1000 copies, *Z.K.G.*, XVIII (1897), p. 255 f.

<sup>2</sup> Jedin, *Studien über die Schriftstellertätigkeit Albert Pigges*, p. 124 f.; there also Seripando's remark that they should not have met the opponents *in prove*. As early as 1552 Luis Vives disapproved of the many small watchmen of Sion who rushed to the defence of the Catholic cause in order to make a name for themselves or for the sake of some financial advantage, C. Burmann, *Hadrianus VI* (Utrecht 1727), pp. 462 ff.

<sup>3</sup> Lortz, *Reformation*, VOL. II, p. 170.

<sup>4</sup> J. Hochstraten, *Colloquia cum divo Augustino* (Cologne 1522), fol. D 1<sup>r</sup>: "Et hic est lapis ille contradictionis ad quem Martinus allisus est."

<sup>5</sup> *C.T.*, VOL. IV, p. 62.

divines who worked for reunion that they placed the person of Christ, His merits and man's appropriation of them in the centre of the debate and strove to remove the dreadful misunderstanding that the Catholic faith prejudiced Our Lord's mediatorship and the universal efficaciousness of His grace. In this way they did yeoman service for apologetics, as Seripando did at a later date at Trent. It was precisely the negotiations for reunion at Augsburg and Ratisbon that made it perfectly clear that the ultimate and quite irreconcilable opposition between the Protestant ecclesiastical communities and Catholicism was due to a wholly different conception of the sacramental system and the juridical structure of the Church. The sacrificial character of the Mass, transubstantiation, the seven sacraments on the one hand, and the hierarchical structure of the Church and the Pope's primacy of jurisdiction on the other, constituted a chasm between the two parties which no amount of good-will and no political advantage could bridge over. When they discussed the Eucharist, the sacrifice of the Mass and the papal primacy more often and more fully than any other controversial question, Catholic apologists gave evident proof that they did not fasten on mere externals but were fully aware of the depth of the divergences. They not only furnished the Council of Trent with abundant material from the writings of the innovators and an arsenal of arguments for their refutation, they also provided that assembly with a fully worked-out system of controversial articles for use in the dogmatic definitions. The line of demarcation was clearly defined, the divergence in belief a reality.

## Reform Without a Council

IN 1539, at a time when the failure of the convocation of the Council of Vicenza could already be foreseen, the Alsatian Augustinian Friar Johann Hoffmeister openly raised the question why the Council did not materialise. With remarkable impartiality this Friar of unimpeachable Catholic orthodoxy examined the arguments and motives of both religious parties.<sup>1</sup> "The Protestants", he writes, "are afraid that the Council will prove them in the wrong while their own pride will never suffer them to submit to an unfavourable sentence by the synod. As for the Catholics, they are indeed in possession of the true doctrine and valid sacraments, but a number of them defend 'with mistaken zeal' real abuses and fight shy of reform. Right is indeed on the side of the Papacy, but though aware of its own vices it is unwilling to amend."

Couched in these general terms, Hoffmeister's judgment is severe. However, the plain fact is that not only the Lutherans but many Catholics also felt that the main obstacle to the Council was the Roman Curia's unwillingness to reform. Belief in the existence of such a reluctance was widespread. In the light of this fact it is easy to understand how it came about that even thoughtful and responsible people came to the conclusion that an effective reform of the Curia, *previous* to the Council and *independently* of it, would best cut the ground from under the opponents' feet, convert the hesitant and guard the Papacy against the violent attacks of which it would surely be the object at a Council on the part of people north of the Alps.

Already during the pontificate of Adrian VI Johann Eck had suggested that since a Council was impossible for the time being, a papal reform Bull should take its place.<sup>2</sup> During the pontificate of Clement VII, when most people had given up all hope of a Council, there were those who thought that in order to disarm the Lutherans, Jacopo Salviati, the Pope's confidant, should propose a reform of the

<sup>1</sup> *Corp. Cath.*, VOL. XVIII, pp. 118 ff.

<sup>2</sup> *Beiträge zur bayrischen Kirchengeschichte*, VOL. II (1896), pp. 181 f., 189 f.

secular and regular clergy by means of Roman decrees.<sup>1</sup> During the first years of Paul III's pontificate similar proposals came almost simultaneously from various quarters.<sup>2</sup> At the Diet of Ratisbon King Ferdinand I told Morone to his face that as long as he saw no reform measures he could not believe that the Pope seriously intended to convene a Council.<sup>3</sup> On the other hand a genuine reform in Rome would render such an assembly superfluous<sup>4</sup>; if none took place, then every papal attempt at reform would be met with the retort "Physician, heal thyself!" On this point the nuncios van der Vorst,<sup>5</sup> Morone<sup>6</sup> and Mignanelli<sup>7</sup> were in complete agreement. Cardinal Cervini never ceased urging the Pope to do something in the matter of reform before it was too late.<sup>8</sup> Everyone of those who had had occasion to see with their own eyes the result of the German schism struck a similar note. "As a result of evil example," the Scotsman Wauchope wrote on 5 January 1541 from Ratisbon, "things have come to such a pass that people have abandoned the practice of good works together with the true faith; but they are sure to come back as soon as they see holy

<sup>1</sup> Violi to Salviati, Florence, 6 October 1530, in *Carte Strozziene*, VOL. I (Florence 1884), p. 599. "Il più salutare remedio e la più optima medicina ad questa voglia bestiale luteriana saria rubare le mosse o far quello che tanto di là gridano, cioè cavare fuori da N. S. una reformatione del Clero e de' religiosi e publicarla, per cominciare a dare principio d'uno honesto vivere e d'una reformatione de' buoni costumi, e della modificatione de' beni superflui delle Religioni: il che sarebbe per aventura . . . uno serrare la bocca a chi così si dilecta di dire male."

<sup>2</sup> Memorial of an anonymous writer (1536), *N.B.*, VOL. I, PT II, p. 424; Duke George of Saxony (1538), *Q.F.*, x (1907), p. 107; Cardinal Ercole Gonzaga to Contarini, 2 January 1538, *Q.F.*, II (1899), p. 182.

<sup>3</sup> Morone on 27 June 1541, *H.J.*, IV (1883), p. 625; *id.*, on 7 March 1542, *N.B.*, VOL. I, PT VII, p. 125. On 3 March Morone had reported (p. 120): "Altri dicono che a Roma si dovrebbe far prima la reformatione."

<sup>4</sup> *N.B.*, VOL. I, PT VII, p. 117 (15 February 1542); similarly to Verallo (31 January 1543): "Che N. S. potrebbe senza concilio reformare cominciando dalla corte sua", *ibid.*, p. 300. More threatening is the observation of the year 1545 in *N.B.*, VOL. I, PT VIII, p. 698.

<sup>5</sup> *C.T.*, VOL. IV, p. 97, l. 32 (1537).

<sup>6</sup> *N.B.*, VOL. I, PT V, p. 158 (1540). "Mi par necessario che senza alcun riguardo di povertà et spese iminenti dal travagliato stato della Christianità o di qualch'altra cosa . . . avanti che S. S.ta venghi al concilio, con effetto facesse la longamente praticata reformatione, acciocché iudicium inciperet a Domo Dei et non si potesse dir' in un concilio: medice, cura te ipsum."

<sup>7</sup> *N.B.*, VOL. I, PT V, p. 362 (1540). "La S.ta V. secondo il mio debil parere non ha in sua mano altro che un solo remedio, cioè è far pigliare gl'otto concilii universali con alcuni altri assai principali et decreti santi antichi et di quelli formare una reformatione conveniente ala chiesa occidentale."

<sup>8</sup> *C.T.*, VOL. X, p. 170, l. 36; p. 186, l. 15 and *passim*, and the above-mentioned accounts in *N.B.*, VOL. I, PT V, p. 408 f.; Vergerio's memorial in *C.T.*, VOL. XII, pp. 436 ff., agrees with this.

examples.”<sup>1</sup> All these men shared a common conviction that a serious reform of the Roman Curia would initiate a renewal within the Church and would most surely prevent further apostasies; it would also considerably facilitate the meeting of a Council and might even take its place. In modern historical parlance the situation could be summed up thus: “Let the Papacy suffer itself to be caught in the movement of Catholic reform and it will solve at one and the same time the problem of the schism and that of the Council.”

There was no lack of proper understanding of the situation, but the application of a remedy met with insuperable obstacles. The apostasy of the north and the catastrophe of the “Sack of Rome” were undoubtedly a rude shock for many who had familiarised themselves with the notion that everything could go on as before. This traditional attitude of mind was by no means overcome. Every attempt at a reform of the Curia between the Council of Basle and the fifth Lateran Council had failed (Bk. I, Ch. VI). The last stirrings of the conciliar theory had been successfully repressed and the misuse of the idea of a Council for political purposes had been countered with political means. But by this time the term “reformation” had become the watchword of those who accused the Papacy of perverting the truth of Christianity and the rallying-cry of men who saw in that institution the ultimate source of abuses the one-sided suppression of which had resulted in the disruption of religious unity by heresy. If anyone mentioned the word “reformation”, he had first to furnish proof that he was not tampering with some essential article of the ancient faith and that his anxiety for a renewal of the Church was born of genuinely Catholic motives. The man who—outside the inner circle of the morally decadent—found fault with the abuses in the Church, or presumed to attack the traditional system by suggesting administrative reforms, came all too readily under suspicion of being in sympathy with the dissidents.<sup>2</sup> Any comment on the open wounds of ecclesiastical life—such as for instance the nuncio Chieregati’s “confession” at Nuremberg—ran the risk of being pounced upon by the Lutheran press and hailed as a welcome confirmation of its own criticisms of the Papacy.<sup>3</sup> Criticism within the Catholic

<sup>1</sup> *Z.K.G.*, XXIII (1902), p. 446. Almost at the same time Poggio wrote: “Se verrà in tempo la pubblicazione della reformatione, sarà una santa medicina”, Laemmer, *Mon. Vat.*, p. 346.

<sup>2</sup> Cardinal Ghinucci’s objection to the clause in the draft of the Bull of Approval of the Society of Jesus which forbade superiors to impose penitential practices on their subjects is significant: “per non dare ansa alli luterami”, Dittrich, *Regesten*, p. 379.

<sup>3</sup> In the epistle to be mentioned below dated 3 April 1538, Johann Sturm addresses the authors of the *Consilium de emendanda ecclesia* in these terms: “Si vos

camp itself had become a matter of extreme delicacy now that a hostile army was in being.

Psychological difficulties were not the only ones that had increased; reform itself had become more difficult than in the era of the reform Councils. Historians warn us—not without reason—against accepting at their face value and as historically true every accusation against the curial system with which we meet in the writings of contemporary advocates of reform. Only a careful examination of every individual instance, if possible on a statistical basis, would enable us to form a just judgment of the effects of papal centralisation.<sup>1</sup> At the beginning of the religious rupture that system had assumed such proportions that on some aspects of curial practice there is hardly room for two opinions.

Indulgences had been so debased that they were widely regarded as little more than a financial transaction the yield of which was shared between the Curia and the secular princes. As a result of their enormous multiplication they had lost their spiritual significance, so much so indeed that Johann Eck tells of women who stoked their stoves with “certificates of confession”.<sup>2</sup> The “compositions” which had come into use in the last three decades of the fifteenth century, that is, the collation to benefices and the grant of dispensations in return for an agreed tax to be paid to the Dataria or the Penitenzieria, could only be defended against the accusation of simony by means of an extremely precarious interpretation.<sup>3</sup> The sale of curial offices, now universally practised, was in itself no more than a capitalisation of state revenue such as was in use elsewhere, but one of its results was that when those who held these offices constituted a strongly organised body, they sought to increase the invested capital by arbitrarily raising taxes and by devising fresh charges. Moreover, as a result of the enormous increase of official posts—there were 2232 of them under Leo X—the

hoc admittitis, hoc nobis conceditis, sublata est inter nos maxima pars controversiae”, *A.R.G.*, xxxiii (1936), p. 30. Johannes Sleidan, *Zwei Reden an Kaiser und Reich*, ed. Böhmer (Tübingen 1879), p. 84 f. asserts: “Confessionem hanc (of Roman abuses) superioribus annis nemo potuit eis extorquere, nunc tandem agnoscunt.”

<sup>1</sup> E. F. Jacob, *Essays in the Conciliar Epoch* (Manchester 1943), pp. 20 ff.

<sup>2</sup> Quoted from Eck in *Beiträge zur bayrischen Kirchengeschichte*, II (1896), p. 222. For the financial side of indulgences cf. A. Schulte, *Die Fugger in Rom 1493-1523* (Leipzig 1904), vol. I, pp. 176 ff.; N. Paulus, *Geschichte des Ablasses im Mittelalter*, vol. III (Paderborn 1923), pp. 450-69.

<sup>3</sup> “Compositionum turpissimus quaestus”, says Campeggio, *C.T.*, vol. XII, p. 8, l. 19. Eck calls them “symoniacum vel symoniae velum”, *Beiträge zur bayrischen Kirchengeschichte*, II (1896), p. 227. The tariff of 1519, in which the clause “ad arbitrio del datario” frequently recurs, in L. Célier, *Les Dataires du XVI<sup>e</sup> siècle* (Paris 1910), pp. 155-64.



Curia's system of taxation, uncontrolled, not to say arbitrary, as it was, had become an oppressive machine for the purpose of extorting contributions.<sup>1</sup> Outsiders were not the only people to complain of surcharges and the endless raising of taxes. Even men in the know, for instance Africano Severoli, freely admitted the existence of these abuses.<sup>2</sup> Given such conditions, it was almost inevitable that in the grant of dispensations the financial aspect should prevail over the spiritual one. Thus, to give but one example, the dispensation, so fatal to regular discipline, which permitted monks to live outside their monasteries had become a simple administrative measure granted without previous examination of the reasons alleged. Control of the administration was rendered more difficult by the circumstance that the two old-established central authorities, the Chancery and the Camera, had in practice become mere offices for the transaction of business while the powers of the Segnatura and the Dataria largely overlapped those of the Penitenzieria.<sup>3</sup>

The subterfuge by which the prescriptions of Canon Law against the union in one hand of several dioceses or parishes could be circumvented were without number. Thus a cardinal would get himself

<sup>1</sup> For the origin of the sale of offices in the fifteenth century: Hofmann, *Forschungen*, VOL. I, p. 162 ff.; E. Göller, "Hadrian VI und der Ämterverkauf an der päpstlichen Kurie", in *Festgabe Finke* (Münster 1925), pp. 375-407. According to Hofmann, *Forschungen*, VOL. I, pp. 277 ff.; VOL. II, pp. 209-26, the registration tax for supplicas, Bulls and the register of the Secretariat had increased three- and even five-fold. In the period between Pius II and Leo X the tax for briefs rose from one to five ducats; the tax for an episcopal appointment was doubled and even trebled. Hofmann's calculations (*Forschungen*, VOL. II, pp. 163-76) show the rise in the price of offices: the auditory of the Camera brought in 19,000 ducats, the office of the "magister plumbi" 6000; the sum paid for certain offices such as that of the notary of the Chancery or the notaries of the Rota yielded an interest of 20 per cent. and even 22 per cent., Hofmann, *Forschungen*, VOL. I, p. 286.

<sup>2</sup> In the *Formula reformationis imperfecta* of the period of Adrian VI, Vat. Arch., Borgh., VOL. IV, 216, fols. 2<sup>r</sup>-19<sup>v</sup>, Severoli relates that after the death of Leo X the Camerario, instead of two carlini, demanded a ducat for the seal. The vice-chancellor "postquam Leone vivente omnia sibi licere vidit", had been claiming, during the previous two years, half of the taxes levied by the Camera for the provisions (fol. 8<sup>r</sup>). Severoli complains of the demand of "iocalia" by the clerics of the Camera (fol. 10<sup>r</sup>), and of the non-execution of the tax reduction ordered by the Council of the Lateran (fol. 11<sup>v</sup>) both by the protonotaries (fol. 11<sup>v</sup>) and by the secretaries, scriptores and abbreviatores (fols. 14<sup>r</sup>-15<sup>r</sup>) as well as the "plumbatores", for "postquam histrionibus ac morionibus tam sanctum officium dari coeptum est in proximo pontificatu" (viz. Leo X's), that office, owing to "rapinis et extorsionibus per sordidissimos pueros familiares suos, cum ipsi per se ipsos huiusmodi officium exercere dedignarentur", has fallen into bad repute (fol. 12<sup>v</sup>). Severoli's statements are confirmed by the investigations and memorials printed by Hofmann, *Forschungen*, VOL. II, pp. 242-9.

<sup>3</sup> See the lists of taxes in Göller, *Pönitentiarie*, VOL. II, ii, pp. 141-80, with those in Célier, *Dataries*, pp. 152-64.

appointed administrator of a second or even a third diocese in addition to his own. If he ceded one of them to a nephew or secretary of his, he would secure for himself the "regress" and by this means keep it ultimately in his own hands and often enough continue to enjoy part of its revenues.<sup>1</sup> As for the benefice-hunter of a lower rank, he knew how by putting up a man of straw, or by the temporary union of several parishes, or their skilful combination with provostships, canonries and other benefices not tied to the cure of souls, to get so many benefices into his hands that he needed something like an alphabetical index to find his way among them.<sup>2</sup> The juridical institution of commendams made it possible to bestow upon secular clerics and even upon laymen the rich revenues of abbeys and priories.<sup>3</sup> The specific basis of the conveyance of benefices by the Pope—reservations—had been undermined by the possibility of annulling an already acquired claim by a simple process of ante-dating. But the climax of juridical uncertainty was reached when those who enjoyed the ordinary right of collation chose to dispute the validity of the reservation so as to prevent the Pope's nominee from entering upon his benefice. The imposition of ecclesiastical penalties and endless lawsuits before the Rota then became the order of the day.<sup>4</sup> Weary of the strife and unable to meet the cost,

<sup>1</sup> In *R.Q.*, XLII (1934), p. 315, I have shown the various ways in which the prohibition of the accumulation of benefices (cap. 28, *De multa*), x, III, 5, could be circumvented. In the course of the dispute over the appointment to the Venetian See of Concordia it was said at Venice that the three Venetian cardinals, Corner, Grimani and Pisani, sought to unite all the dioceses of the territory in their own hands, P. Paschini, "Il Card. Marino Grimani nella diocesi di Concordia", in *Memorie storiche Forogiuliesi*, xxxvii (1941), p. 80.

<sup>2</sup> Statement by Campeggio, *C.T.*, vol. XII, p. 8, l. 10. Eck relates that certain traffickers in benefices would give up ten or twenty of them while retaining an equal number. One of them held fourteen and was given a provostship in addition to them. Eck's own parish of Ingolstadt was claimed by a certain Jacobus de Sanctis of Carpi, aged fourteen, a man of straw of course, *Beiträge zur bayrischen Kirchengeschichte*, II (1896), p. 224. Cf. the terribly long list of benefices held by Johannes Ingenwinkel, who was Datary at the time of his death in 1535, Schulte, *Die Fugger in Rom*, vol. I, pp. 289-306.

<sup>3</sup> U. Berlière, in *Revue bénédictine*, xvii (1900), p. 30, describes commendams as "the canker of monasticism"; cf. Ulrich von Hutten's sarcastic remarks on the subject in the *Vadiscus, Opera*, ed. Böcking, vol. IV, p. 248. Examples will be given later.

<sup>4</sup> The increase of suits with the Rota—the "litium meandri" as Campeggio put it (*C.T.*, vol. XII, p. 9, l. 5)—appears from the statistics in N. Hilling, *Die römische Rota und das Bistum Hildesheim* (Münster 1908), p. 36 f. At this day the archives of the Rota contain twenty diaries of notaries for the years 1464-88 and seventy-four for the period from 1489 to 1513. The number of suits actually carried through is much greater since only about a sixth of the diaries has been preserved. For the first period Hilling counts twenty-one suits from the diocese of Hildesheim and eighty-two for the second. According to Imbart de la Tour, *Origines*, vol. II, p. 229,

many a man would come to terms with his curial competitor and compound with him by means of a pension—the very thing the latter had been aiming at from the first.

There is no need to give instances of these abuses; the history of almost every diocese and cathedral chapter and that of many abbeys and parishes provides them in such numbers, and reform writings of curial origin confirm the accusations of non-Italian witnesses to such an extent that it would be hopeless either to deny or to minimise them. The fiscal system of the Curia had evolved along lines that constituted a danger for the Church, though this was by no means the unavoidable result of rules laid down in the decretals of the late Middle Ages or by the papal Chancery; rather was it due to their circumvention and infringement by crafty and unscrupulous speculators whose activities were tolerated or at least not checked by those in authority; thus Clement VII shut both eyes when, after the "Sack of Rome," officials sought to make good their losses by raising their fees.<sup>1</sup> A twofold menace lay in these fiscal abuses: they destroyed or obscured the true conception of the pastoral ministry—a vital one for the Church—the notion, that is, that an official position in the Church imposes pastoral duties; that ecclesiastical revenues must serve the salvation of souls, either through the performance of liturgical functions and the administration of the sacraments or by the preaching of the word of God and all other forms of instruction. The injury done to the life of the Church in every part of Christendom, of which there is undeniable evidence, may be largely traced to one single cause, namely the neglect of the duty of residence by bishops and parish priests who spent their time as officials at the Curia or at the court of some cardinal or secular prince. While they continued to enjoy the revenues of their benefices bishops relied for the discharge of their duties on auxiliaries while parish priests depended on vicars or substitutes—priests usually poorly remunerated and frequently changed. The inevitable consequence of such a system was the inadequate instruction of the people and the ruin and desolation of many monasteries whose revenues were being diverted from their

between the years 1498-1515, in each of ten French dioceses, two candidates fought for possession. The whole of the chapter entitled "Le Désordre des bénéfices" (pp. 213-41) presents a lurid picture of the chaotic conditions—though the Curia was not alone to blame.

<sup>1</sup> The statement in the memorial quoted by Hofmann, *Forschungen*, VOL. II, p. 249: "Alii sunt abusus qui post impiam Urbis direptionem magno impetu irrupere Clemente VII ex commiseratione susceptae calamitatis id officialibus permittente", is confirmed by recurrent remarks about the raising of the taxes "post urbis direptionem", C.T., VOL. IV, p. 457, l. 27; p. 459, l. 14.

original purpose. This fiscal system constituted yet another danger for a different reason: it was a blind alley from which it was all the more difficult to find a way out as the revenues accruing from the sale of offices and from compositions met a substantial part of the commitments arising from the Pope's duties towards the universal Church. Under Leo X the monthly income from the Dataria averaged 12,000 ducats. Under Adrian VI it fell to not quite 70,000 ducats a year. During the pontificate of Clement VII the Venetian envoys Foscari (1526) and Soriano (1535) estimated it at 100,000 ducats, that is roughly a quarter of the total papal revenue. In 1537, under Paul III, it still amounted to 70,000 ducats.<sup>1</sup> It would have been difficult to make good the loss of sums of such magnitude. Moreover, the colleges of officials resisted every attempt to lower taxation on the plea that this would conflict with their legitimately acquired claims to the interest on their invested capital. Not one of the reform pamphlets had a practical suggestion to make as to how to satisfy these claims and to make good the loss that was bound to result from a strict reform of the various departments.<sup>2</sup> Thus the wish to reform stumbled against hard reality: it was less easy to find the road to Church reform than it appeared to superficial observers.

Two roads—both of them wrong ones—had to be avoided though they had been tried before. One was the road of conciliar theory, the advocates of which sought to reform the Church by curtailing the Pope's authority and subjecting it to an external control. This would have been equivalent to altering the Church's constitution. The other road was that of schism. Instead of restoring orthodoxy, as its advocates claimed, this would in reality have altered and reduced the very substance of the Catholic faith and established a new ecclesiastical discipline. On the latter road the Papacy had pronounced judgment. By their secession

<sup>1</sup> Göller's pertinent estimates in *Festgabe Finke*, p. 394 f.; the Venetian ones in Albèri, *Relazioni*, VOL. II, iii, p. 139 (120,000 out of 499,000), p. 327 (110,000). Pastor's observation (VOL. V, p. 124: Eng. edn., VOL. XI, p. 174), based on the latter statement, viz., that the Dataria yielded one-half of all the revenue, is accordingly inaccurate. Cf. the housekeeping accounts of the end of the fifteenth century in A. Gottlob, *Aus der Camera Apostolica des 15. Jahrhunderts* (Innsbruck 1889), pp. 253 ff. The result of C. Bauer's investigations "Die Epochen der Papstfinanz", in *H.Z.*, cxxxviii (1928), pp. 457-503, viz. that the revenue from the States of the Church tended to exceed that from ecclesiastical sources, must be compared, for the period under consideration, with Soriano's remark in Albèri, *Relazioni*, VOL. II, iii, p. 315, that the failure of the income from the Dataria "saria torre il vivere a S. S.ta".

<sup>2</sup> Campeggio's proposals were the most illuminating (*C.T.*, VOL. XII, p. 16), but even of them Hofmann, *Forschungen*, VOL. I, p. 321, says that "not one of them was practicable". Guidiccioni's proposals in *C.T.*, VOL. XII, p. 248.

from the Roman Church Luther and his adherents had made it impossible, by their own act, for their proposals to bear fruit. But though strict conciliar theory had been rejected by the Popes, its advocates nevertheless hoped that it would maintain itself within the Church and by devious means they sought to keep its principles alive and operative. It exercised no real influence on the actual reform of the Curia, which was determined by three factors whose discussion and eventual combination gave birth to the Tridentine reform and in fact to the Catholic reformation.

The advocates of a reform from within and from below, that is, of a "personal reform of the members", as we called it above (Bk. I, Ch. VII), had long been working for the new spirit and the training of the new men without whom every effort for reform was bound to remain a dead letter. As a matter of fact the Church continued to produce zealous diocesan bishops, auxiliary bishops and parish priests. Efforts for a reform in the old monastic and the mendicant orders went on without interruption and were encouraged by Paul III in various ways.<sup>1</sup> Among the many and assuredly not undistinguished names recorded in the story of Catholic reform about the third and fourth decade of the sixteenth century there are two that stand for a whole programme. The term *Chietinism* described, not without a tinge of irony, the strict religious life of the company of priests founded by Gian Pietro Carafa, sometime Bishop of Chieti,<sup>2</sup> and Gaetano da Thiene, from whom they got their name of Theatines. The term *Gibertalis disciplina*<sup>3</sup> is Giovio's description of the efforts of Bishop Giberti of Verona to establish a truly up-to-date pastoral administration in his diocese, one suited to the requirements of the times, and to realise in his own person the new

<sup>1</sup> In addition to Paul III's briefs in favour of reform listed in Pastor, VOL. V, pp. 863-7, and his comments on pp. 348-73: Eng. edn., VOL. XI, pp. 589 ff., and pp. 503 ff., I may be permitted to refer to my article, "Ciò che la storia del Concilio si attende dalla storia ecclesiastica italiana", in *Il Concilio di Trento*, II (1943), pp. 163-75. For an instance of the activities of a zealous auxiliary bishop, cf. the decrees of Matthias Ugoni for Brescia (1531) edited by P. Guerrini: *Atti della visita pastorale del vescovo Domenico Bollani alla diocesi di Brescia*, VOL. II (Brescia 1936), pp. vii-xx. For the attempts at reform in the mendicant orders under Paul III, see *R.Q.*, XLIV (1936), pp. 239-49; also the letters of Cardinal Gonzaga on the reform of the canons of the Lateran whose protector he was, *Q.F.*, II (1899), pp. 196-209, and the lively description of the struggle for the recognition of the Capuchins in Cuthbert-Widlöcher's *Die Kapuziner* (Munich 1931), pp. 80, 104; further literature in BK. I, Ch. vii.

<sup>2</sup> The literature on the notion of "Chietinismo" in Pastor, VOL. V, pp. 138, 360; Eng. edn., VOL. XI, pp. 194, 520. The form "Chietinaria" occurs in an *aviso* of 30 July 1544, St. Arch., Modena, Roma, 27A.

<sup>3</sup> Giovio to Alessandro Farnese, 11 September 1545, ed. J. Buschbell, in *Festgabe Finke* (Münster 1926), p. 421.

conception of what a bishop should be. Up to this time very few people had heard of a Basque nobleman—one Ignatius of Loyola who in his “Spiritual Exercises” was opening out new ways for the spiritual life and who in Paris had gathered around him a small group of “reformed priests” with whose aid he devoted himself to apostolic and charitable activities first at Venice and later on in other cities of Italy. There was a deeply symbolic significance in Ignatius’s resolve, about the beginning of November 1537, to journey to Rome. Unless the personal reform of the members affected the head also it would not be a Catholic reform in the true sense of the word. The struggle for papal approval of the young Society of Jesus brought to light the other two factors which had meanwhile taken shape in Rome. It is Paul III’s undying merit that these reform groups were able to organise themselves in Rome. Nothing like it had been seen under Clement VII. In those days Giberti and Carafa had left Rome not only for personal reasons but because the Roman climate was not favourable to their ideas of reform. Not that there were no advocates of reform in the eternal city, but men like Cajetan, Quiñónez, Loaysa, Egidio Canisio received no support. It was the Farnese Pope who by raising the layman Gasparo Contarini to the College of Cardinals gave to the reform movement in Rome both a firm support and a solid centre. After the creation of 22 December 1536 several similarly minded cardinals grouped themselves around him, men like Pole, who was inspired by the same ideals as Contarini, the impetuous Carafa, the gentle Sadoletto, a man imbued with the spirit of Christian humanism. The promotions of 1538 and 1539 further strengthened the reform party by the addition of the Spanish Dominican Juan Álvarez de Toledo, the devout and learned Cervini and the eager Fregoso. In 1542 three more adherents of Contarini were added to the group—Morone, who had been won over to reform by what he had seen in Germany; the Benedictine Abbot Cortese and the Dominican Badia: the last two were products of monastic reform. These men did not constitute a faction; the link between them was an idea. From the point of view of the Curia they were outsiders. One thing they were agreed upon, that it was impossible to raise the level of the spiritual and moral life of the secular and regular clergy and to make a reality of the new pastoral ideal and the apostolate which was their aim otherwise than by a complete reorganisation of the system of clerical training and monastic discipline and by the application of stricter conditions for the ordination of candidates for the priesthood and the bestowal of benefices and offices. It was not enough to forbid

the Roman clergy to wear fashionable silken clothes; what was needed was a radical change in the Roman Curia, in fact such a change was an essential prerequisite for reform. These demands were prompted by the spirit and the institutions of Christian antiquity. Biographers and other writers held up before the prelates the portrait of the ideal bishop—the bishop in the pulpit, the bishop as a guide of souls by means of spiritual letters, the bishop as a guardian of ecclesiastical discipline. It was inevitable that the contrast between idealised antiquity and existing conditions should be profoundly felt, with the result that the most incisive reforms were demanded. In a memorial to Adrian VI, Cardinal Cajetan had suggested that the cardinals of the Curia should resign their external dioceses and that they should have a fixed income out of the contributions of the countries of which they were the protectors. Bishops were to be chosen by representatives of the diocesan clergy. The age of ordination should be raised to thirty years and all conventuals (that is the relaxed branches of the mendicant orders) should be suppressed.<sup>1</sup> One anonymous writer thought that a change of procedure in the election of the Popes would provide a simple solution of all difficulties: let the bishops also have a say in it!<sup>2</sup> Wise men would not hear of these day-dreams, but even the determined group of reformers around Contarini felt that a deep and incisive intervention in existing conditions was needed to enable the new spirit to assert itself.

This group was faced by a conservative party which one might be tempted to regard as reactionary and hostile to any reform; but it would be unfair to describe the whole party as such. It was made up for the most part by jurists who had run through the whole gamut of curial offices up to the cardinalate. Lorenzo Campeggio was in every respect its most distinguished and most enlightened representative. He had set down his ideas about reform in a carefully balanced memorial which he presented to Adrian VI at the same time as Cajetan submitted the one mentioned above.<sup>3</sup> That which his grave illness and his death on 19 July 1539 prevented him from accomplishing in his own person was done by his younger brother Tommaso during the whole period of the Tridentine labours for reform—namely the conciliation of the demands of the determined reformers with the tradition of the Curia. If the two brothers Campeggio and Cardinals Ghinucci, Cupis and Guidiccioni—of whom more presently—were conservative in the best sense of the word, the Pucci family of Florence which had directed the Penitenzieria during the two previous decades must be described as

<sup>1</sup> C.T., VOL. XII, pp. 32-9.

<sup>2</sup> *Ibid.*, p. 44.

<sup>3</sup> *Ibid.*, pp. 5-27.

representing a decidedly reactionary element. Antonio Pucci, who had succeeded his uncle Lorenzo in 1529 by means of a questionable financial transaction, was an adept in warding off every attack on the methods of his department; in the end he even succeeded in passing on his office to Roberto, another uncle of his.<sup>1</sup> It is an essential characteristic of Paul III that in almost all his promotions of cardinals besides the pronounced reformers he also invariably considered the claims of such curial jurists as were possessed of special business ability. Thus when he raised Contarini to the cardinalate he also raised Ghinucci, the auditor of the Camera, and the dean of the Rota Simonetta. Carafa received the red hat together with the Datary Cristoforo Jacobazzi and Del Monte, who had made his career in the administration of the Papal States. The last two were the nephews of jurists with a long record of service in the Curia. Bartolomeo Guidiccioni, created in 1539, had served the Pope for nineteen years in the capacity of vicar-general of Parma. His knowledge of the law was scarcely second to that of Parisio, who had been recalled to Rome from his chair at Padua. Marcello Crescenzio, whom the Pope raised to the Sacred College at the same time as Morone, had been dean of the Rota while Gianangelo Medici had served in the government of the Papal States. Many of these names will meet us again at a later date. This is yet one more proof that Tridentine reform was not exclusively the achievement of the reform movement but rather the result of its *entente* with the conservative forces.

The conservatives themselves could no longer afford to turn down every reform on the plea of superfluity, if only because the pressure of public opinion was too strong for such a course. However, in their opinion reform meant a return to the legislation of the decretals of the early Middle Ages. The basic elements of the organisation of the Roman Curia and its claims were to be preserved and only the obvious abuses removed—that is, those that infringed “the old law” as understood by them. They were opposed to the issue of new laws; it was enough to give effect to the old ones or to adapt them intelligently to present needs.<sup>2</sup> The various answers to the German *gravamina* that have come down to us are all formulated on these lines.<sup>3</sup>

<sup>1</sup> Göller, *Pönitentie*, VOL. II, ii, pp. 91 ff.; Hofmann, *Forschungen*, VOL. II, p. 97 f.

<sup>2</sup> The tract by an as yet unidentified author, but who signs himself M.F.C., is almost wholly devoted to this question, *C.T.*, VOL. XII, pp. 48-52.

<sup>3</sup> The reply of the Sacred College in 1530, in the drafting of which Cajetan, Loaysa and Quiñónez took part with Monte, Cupis, Valle, Cesi and Cesarini, is in *C.T.*, VOL. XII, pp. 58-66; Tommaso Campeggio's memorial of 1536 in *N.B.*, VOL. I, PT I, pp. 341-421.



The curial officials, strongly organised in the colleges of the *scriptores*, *abbreviatores* and secretaries, were the real stronghold of reaction. These men had nothing to gain by a reform of the Curia, they only stood to lose by it; hence they fought with the utmost tenacity for privileges which provided them with an income. They took good care to avoid open resistance to reform and sedulously pleaded their justly acquired rights which, they insisted, must be respected in any circumstances. On no account must there be any yielding to the radicalism of the "Chietini" or to that of Contarini, and still less to the impudent demands of those beyond the Alps. "This affair of reform", they would add with a knowing smile, "must be settled between ourselves here in Rome", that is, ultimately everything must go on as before.<sup>1</sup> These circles utterly failed to read the signs of the times.

*Purga Romam, purgatur mundus*, Ferreri, the one-time secretary of the *conciliabulum* of Pisa, had written to Adrian VI.<sup>2</sup> The new "struggle for Rome" did not begin on the first day of the Farnese Pope's pontificate.<sup>3</sup> Paul III's initial reform measures did not go beyond the attempts by which his predecessors had sought to show proof of goodwill. In view of the Holy Year of 1525 Clement VII had formed a committee of cardinals for the purpose of reform. He had also ordered a visitation of the Roman churches and appointed Carafa as a commissary for the examination of candidates for ordination.<sup>4</sup> The committees of cardinals appointed by Paul III on 20 November 1534 with mission of "reforming morals" and of watching over the conduct of the officials of the Curia were so composed that no incisive proposals and effective measures could be looked for, especially as the Pope himself presently dropped them a hint that they should take into account the conditions of the times.<sup>5</sup> However, not even the reform Bull drafted by them was

<sup>1</sup> "Sgrossare quella parte in loco tuto et inter nostros", Bishop Giacomelli of Belcastro said in 1543, *C.T.*, VOL. X, p. 173, l. 27.

<sup>2</sup> *C.T.*, VOL. XII, p. 27, l. 4.

<sup>3</sup> To S. Ehses's basic essay, "Kirchliche Reformarbeiten unter Paul III vor dem Trienter Konzil", in *R.Q.*, xv (1901), pp. 153-74, 397-411, and the corresponding archival material in *C.T.*, VOL. IV, pp. 451-512, important supplementary matter has been added by Pastor, VOL. V, pp. 96-153; Eng. edn., VOL. XI, pp. 133 ff.; Göller, *Pönitentiare*, VOL. II, i, pp. 112 ff.; VOL. II, ii, pp. 43-69; Hofmann, *Forschungen*, VOL. I, pp. 314 ff.; VOL. II, pp. 248-52, and finally V. Schweitzer in *C.T.*, VOL. XII, pp. 131-58, 208-56, 271-85. This material will be used in the sequel in its proper place. B. Llorca gives a resumé in "Antecedentes de la reforma tridentina" in *Estudios eclesiásticos*, xx (1946), pp. 9-32.

<sup>4</sup> Pastor, VOL. IV, ii, p. 577; Eng. edn. VOL. X, pp. 378 ff.; Pelliccia, *La Preparazione ed ammissione dei chierici ai santi ordini nella Roma del secolo XVI* (Rome 1946), pp. 88 ff.

<sup>5</sup> The relevant consistorial acts in *C.T.*, VOL. IV, pp. 451 ff.

ever published so that to this day its text remains unknown. The minutes of the consistory of 9 June 1535 give as a reason for this measure that no new laws were actually needed—all that was required was to enforce the existing ones. This proves up to the hilt that the conservative school dominated the situation. The conflict of the opposing forces became yet more apparent when the commission was further enlarged by the Bull of 23 August 1535 with a view to the reform of the city of Rome and the Curia in preparation for the forthcoming Council. It was obvious that with their experience of affairs long-service curial canonists like Ghinucci, Simonetta and Jacobazzi would at once gain the ascendancy over the other five members.<sup>1</sup> Their edict of 11 February 1536<sup>2</sup> accordingly confined itself to regulations for the conduct and attire of the clergy of the city, ordinations, the duty of residence and the administration of parish priests and chapters; the management by officials of their respective departments was not mentioned.

Paul III's efforts for reform took on a very different appearance when in the summer of 1536, that is immediately after the convocation of the Council of Mantua, the Pope convened in Rome a commission for the study of the question of reform. The pontiff made it clear that he wished to be thoroughly informed about the programme for the future Council and to set the general reform of the Church in motion even before it assembled.<sup>3</sup> Those invited did not include a single curial canonist. With the sole exception of Aleander<sup>4</sup> they were all determined advocates of a thorough reform of the Church and the Curia. They were Cardinal Contarini, the reformers Carafa, Pole and Sadoletto—all three destined

<sup>1</sup> Cardinals Piccolomini, Sanseverino and Cesi had been members of the first reform committee; they were later joined by the conciliar nuncio Peter van der Vorst and Niccolò Dolce.

<sup>2</sup> Text in Pastor, VOL. V, pp. 823-7; Eng. edn. VOL. XI, p. 563.

<sup>3</sup> That such was the Pope's intention appears from the brief to Carafa, 23 July 1536, *Q.F.*, II (1899), p. 221: "cunctaque interim (viz. up to the meeting of the Council) salubriter et pie dirigenda et ordinanda". The other briefs, for the most part in the same strain, in *C.T.*, VOL. IV, p. 26 f.

<sup>4</sup> I do not include Aleander in Contarini's reform group, and on this point I am in agreement with P. Kalkoff, "Zur Charakteristik Aleanders", in *Z.K.G.*, XLIII (1927), pp. 209-19. Aleander was a reformer from purely intellectual motives, without the inner urge which moved the members of that circle and untouched by the ideals of the reform movement. It is enough to study from this point of view his letters to the vicar-general, the factor and other personalities of his diocese of Brindisi, Vat. lat. 3913. By reason of this purely speculative attitude to the reform Aleander constituted the greatest possible contrast to Carafa, with whom the reform was a passion so that at times he was defeated by the arguments of an adroit opponent as was Antonio Pucci.

to be raised to the cardinalate in December 1536—Bishops Fregoso and Giberti; Abbot Cortese and the Master of the Palace Badia.<sup>1</sup> Its composition accounted both for the strength and the weakness of the new committee. Its deliberations, which were conducted in strict secrecy, began at the end of November 1536 with a discourse by Sadoletto and concluded at the end of February 1537. The result was a memorial entitled *Consilium de emendanda ecclesia*.<sup>2</sup> This document was presented to the Pope in the *Camera di Papagallo* on 9 March 1537 in presence of twelve cardinals, including those who had formed the reform committee of 1535.<sup>3</sup> Boldness in the presence of the wearer of the triple crown is even more difficult and more rare than courage before a king. Even a historian is fairly staggered when in a document destined for the eyes of a Pope he reads the terrible accusation that the root of the evil lay in an exaggerated theory of the papal power. "Flatterers", it says, "have led some Popes to imagine that their will is law; that they are the owners of all benefices so that they are free to dispose of them as they please without taint of simony. This conception is the Trojan horse by means of which numerous abuses have penetrated into the Church. These evils must be ruthlessly suppressed. Only such men must be ordained whose fitness has been carefully ascertained—in Rome by two or three prelates designated for the purpose and elsewhere by the bishop of the diocese. Bishoprics and benefices with cure of souls attached must not be granted for the purpose of providing a man with a livelihood but in order to secure shepherds for human souls. All contrary curial practices must be abolished, such as the charging of a benefice with a pension in favour of a third party who is not in need but by which the holder of the benefice is robbed, if not of the whole of his proper revenue, at least of a great part of it; resignations of

<sup>1</sup> Bartolomeo Guidiccioni did not attend with those who were invited in July 1536. The jurist Sigismondo Pappacoda, Bishop of Tropea, who had declined the cardinalate in 1527, was invited on 22 October but died on 3 November, *C.T.*, VOL. IV, p. 43.

<sup>2</sup> Text with exhaustive prolegomena which cover the whole of the literature up to 1930, by V. Schweitzer in *C.T.*, VOL. XII, pp. 131-45; also Friedensburg, "Das Consilium de emendanda ecclesia, Kard. Sadolet und Johann Sturm von Strassburg", in *A.R.G.*, xxxiii (1936), pp. 1-69.

<sup>3</sup> This important circumstance, which has not been sufficiently taken into account up to now, appears from Aleander's notes published by Friedensburg in *Q.F.*, vii (1904), pp. 260-3. Cf. also Schweitzer's observations in *R.Q.*, xxii (1908), pp. 132 ff. Besides Piccolomini, Sanseverino, Ghinucci and Simonetta, there were present Cupis, Quiñónez, Trivulzio and Cesarini. The latter had been a deputy in 1534. Campeggio was prevented by illness. Of the nine who signed, Pole and Giberti were absent, for they had set out for their legation to England. Fregoso too was absent.

bishoprics while their revenues are retained, the right of collation to benefices and regresses, since these practices make such dioceses practically hereditary; expectatives and reservations as a result of which it often happens that deserving men are excluded or one and the same benefice is bestowed on two candidates; the accumulation of several benefices in one hand and the concession of dioceses outside Rome to cardinals who as the Pope's official counsellors form his entourage and are therefore in no position to discharge their pastoral duties."

These incisive proposals for a reform of the curial system were inspired by the requirements of the pastoral ministry. The same motive suggested the demand for greater strictness in the concession of dispensations and absolutions, as for instance in the case of marriage dispensations from the impediment of the second degree; the absolution of simoniacs or dispensations from vows. Indulgences, certificates of confession and the right of testamentary disposal of revenues derived from benefices should only be granted in urgent cases. To achieve a higher standard in the pastoral ministry fidelity to the duty of residence on the part of bishops and parish priests is essential for—and here the memorial undoubtedly exaggerates—"almost all the shepherds have forsaken their flocks and entrusted them to hirelings". Furthermore, authority to punish the exempt must be entrusted to the bishops, regardless of privileges surreptitiously obtained or bought from the *Dataria* or the *Penitenzieria*. Ordinaries must have the right to examine confessors and preachers, even if they are members of religious Orders, as well as the right to watch over the universities and the press. Many scandals would come to an end if the conventual (relaxed) branches of the mendicant Orders were allowed to die out and if chaplaincies in convents of nuns were taken from them and handed over to the bishops. One of the worst sores of monastic discipline would be healed if every department of the Curia were to refuse permission for religious to live outside their monasteries and to lay aside the religious habit.

Both in the latter proposals as well as in the earlier ones about the examination of candidates for Holy Orders it is easy to detect Carafa's hand,<sup>1</sup> though it would be useless to try to ascertain the contribution of individual members of the committee to the final result or to ascribe the whole to one person in particular, even to Contarini himself, as has been done repeatedly. Even if Aleander, together with two others, were

<sup>1</sup> Cf. the account in *C.T.*, VOL. XII, pp. 136, ll. 4 ff.; 139, l. 26; 141, ll. 18 ff., with Carafa's reform tract of 1531, *C.T.*, VOL. XII, pp. 70, l. 8; p. 72, ll. 1 and 27; p. 75, ll. 2 ff.

responsible for the terse formulation of the memorial, as might be gathered from his report,<sup>1</sup> it remains a collective piece of work signed by all the members and for which all assumed and were in a position to assume responsibility precisely because it was the expression of the basic idea of the reform movement which they all held alike—the idea namely that the primacy of the pastoral ministry and the realisation of the apostolic ideal of a shepherd of souls were impossible without a radical change in the Curia's administrative system. It was this that constituted the kernel of the famous document, not the proposals for reforms in the city of Rome, such as the removal of certain scandals in St Peter's, which are only an appendix. With unheard-of boldness the document opened the offensive for the reform movement with a blow against the citadel of the Roman Curia on the conquest of which hung the fate of the Church.

In the session of 9 March Contarini read out the text of the *Consilium* together with some brief explanations. A separate opinion by Sadoletto was likewise brought to the notice of the meeting. The Pope then called upon Aleander to open the debate. He declined to do so on the plea that this was the privilege of the cardinals present. There was no mistaking the real motive of his action: it was prompted by disappointment at his having been passed over at the last creation. However, the cardinals remained silent. Cesi, who had taken notes during the reading, would not venture to offer any comment. Criticisms and objections only began after the text of the memorial had been handed out to the cardinals and when, at the request of Simonetta, they had obtained the Pope's permission to communicate it to their respective consultors. In this way the contents gradually seeped through to the general public, though even as late as the beginning of April Sánchez, Ferdinand I's resourceful agent, was unable to supply his employer with authentic information. All he had to report was a vague rumour to the effect that the bishops' duty of residence would be enforced, that the accumulation of benefices and regresses would be suppressed and that the taxes of the Chancery would be lowered.<sup>2</sup> We are in a position to ascertain the nature of the criticism of the memorial by circles which

<sup>1</sup> In any case Schweitzer's interpretation (*R.Q.*, xxii, p. 235), of Aleander's remarks in *Q.F.*, vii, p. 261, "nos tres deputatos esse minoris conditionis", as referring to the formulation by Aleander, Cortese and Badia is not cogent.

<sup>2</sup> Sánchez to Cles, 8 April 1537, St. Arch., Trent, Cles, Mazzo 10, or: "Qualis huiusmodi reformatio, plane ignoratur, quia secretissime tractatur. Verum fertur, quod episcopi teneantur residere personaliter, quod nullus non possit habere nisi unum beneficium cum animarum cura, quod regressus tollantur, taxae in cancellaria minuantur."

were conservative though by no means hostile to reform, from a discourse delivered in consistory by Cardinal Nicholas von Schönberg, the text of which, however, has only been handed down to us by Sarpi, and from a tract on reform drawn up in 1538 by the future cardinal Bartolomeo Guidiccioni. As a former member of the reformed Congregation of San Marco, Schönberg could not be suspected of shying at reform; he nevertheless observed that if a reform of the Curia were taken in hand at that moment there was a danger that the Lutherans would regard it as a confirmation of their accusations against the Papacy and would exploit it as a success for their party.<sup>1</sup> The danger was real, but it was no argument against reform. Guidiccioni deals much more radically with the problem.<sup>2</sup> He regards the accusations of the memorial against previous Popes and against the papalists as an intolerable presumption while the desire to restore the Church to perfect purity and stainlessness seems to him dangerously utopian. He puts up a vigorous defence of curial practice as a live system that has superseded obsolete laws. It was easy enough to abolish it but difficult to replace it by something better. As a matter of fact, "where shall we get to if we attempt to force the Church's life back to the rules of primitive Christianity and the canons of the early Church? What the Church needs is not new laws but the observance of the existing ones."

Guidiccioni further explained his principles in a criticism of some specific proposals of the *Consilium*. The latter document proposes that candidates for ordination at the Curia should be examined by two or three prelates of good repute. "Why not stick to the old rule which confers this right on the *Vicarius Urbis* and the clerics of the Camera? Are not they *viri probi et docti*?" The memorial complains of the inequitable distribution of benefices which was further intensified by resignations and regresses while it denies to the cardinals the right to hold external dioceses. But the Curia's system of dealing with benefices rests on the Pope's supreme authority. All candidates enjoy the same rights and are free to take advantage of the practices provided by the curial system. Those who complain are like the labourers in the vineyard who cast an envious eye upon the greater reward of their fellow-workers. People who imagine that cardinals are incapable of

<sup>1</sup> Sarpi, *Istoria*, VOL. I, v, ed. Gambarin, VOL. I, p. 134 f. With Ehses, *H. J.*, XXIX (1908), p. 603, I see no reason to regard Sarpi's further remarks about Sleidan (*Commentarii*, VOL. XII, Strasbourg 1557) as an invention. The discourse has nothing to do with the consistory of 20 April 1537 discussed by Ehses.

<sup>2</sup> *C.T.*, VOL. XII, pp. 227-33, supplemented by me from the preparatory work of Guidiccioni in Vat. Lib., Barb. lat. 1173.

administering external dioceses must also deny them, if they wish to be logical, the right to hold any other dignities, abbeys or benefices with the cure of souls attached to them. How will it all end? The fight against the accumulation of benefices actually rests on an erroneous assumption: the obligations of the pastoral ministry are not linked with collation to a benefice but with the reception of Holy Orders. "Freely have you received, freely give", has nothing to do with benefices. Furthermore, it would be a dangerous mistake to try to abolish every dispensation that enables a man to enjoy incompatible benefices. The cure of souls is often far better discharged by a capable substitute than by an incapable rector of a church. Why make a clean sweep of all pensions, resignations, unions and *commendams* since Canon Law lays down the necessary safeguards against abuses as when, for instance, it makes provision for the maintenance of the holders of such benefices as may be burdened with pensions and for the proper service of churches united in one hand, or such as are given *in commendam*?

Guidiccioni concludes his critique with the statement that the *Consilium de emendanda ecclesia* would not conduce to the Church's reform but rather to her disruption: the radical principles contained in it would not issue in reform but in revolution.

The old man of Lucca was not out for the furtherance of his own interests; he no longer cherished any personal ambition. It took years before he consented to obey the Pope's summons to Rome. Nor was his defence of tradition without certain reservations. He too regarded the Dataria's compositions as irreconcilable with the principles of justice and equity.<sup>1</sup> He was in favour of reducing the College of Cardinals to twenty-four, equal consideration being given to every nation in their appointment. The sale of offices should be stopped. The various proposals for the reform of the Orders he regarded as inadequate and contradictory—uniformity should be introduced into the whole conventual system.<sup>2</sup> For the rest Guidiccioni maintains his standpoint that the reform of the Church must come about through existing laws and the actual practice of the Curia; while abuses must be removed existing conditions should be taken into consideration.

A composition with the existing order—which in practice meant the collaboration of the canonists and other officials of the Curia—could not be by-passed as soon as an attempt was made to cast the reform proposals into reform laws. To this end in the last days of

<sup>1</sup> Vat. Lib., Barb. lat. 1165, fol. 321r.

<sup>2</sup> C.T., VOL. XII, pp. 243 ff.

April 1537, with a courage to which we must pay homage, the Pope entered upon the task of reform at the most difficult point of all, viz. the Dataria. He accordingly adjoined to Cardinals Contarini and Carafa two experts in the persons of Ghinucci and Simonetta.<sup>1</sup> The department itself submitted, as a basis for reform, a schedule of the operations that came within its competence.<sup>2</sup> Thereupon the optimism which Contarini breathed in a letter to Pole of 12 May 1537<sup>3</sup> promptly veered round in the opposite direction. A long and hard struggle began. At the request of his colleagues Contarini drew up a report in which the compositions connected with regresses, coadjutorships and marriage dispensations were described as undoubtedly simoniacal; others, such as reservations of the revenues of benefices and pensions were qualified as extremely questionable, to say the very least. Contarini based his

<sup>1</sup> The fact of the nomination (previous to 30 April 1537) is based on the instruction for Giovanni Guidiccioni, *C.T.*, VOL. IV, p. 115, l. 22. The names are in Contarini's letter to Pole dated 12 May, Dittrich, *Regesten*, No. 325.

<sup>2</sup> The "scheda scripta"—which has not been preserved—was the basis of Contarini's report of which we shall speak presently (printed by Friedensburg, in *Q.F.*, VII (1904), pp. 263-7). This piece, as well as the rest of the memorials used for the history of the reform of the Dataria, are all undated. I have therefore endeavoured to establish an approximate chronology: (1) First Contarini's report already mentioned in the "scheda" submitted by the Datarius. (2) The divergences within the commission lead to the calling in of experts, that of Aleander and Badia by Contarini and that of Tommaso Campeggio by the opposite party. The latter's memorial (*C.T.*, VOL. XII, pp. 155 ff.) argues against the texts from St Thomas adduced by Contarini. (3) Contarini defends "in conventu nostro", viz. probably within the bosom of the commission, his view of the compositions, *C.T.*, VOL. XII, pp. 153 ff. (4) The Pope demands a memorial from Campeggio. The latter confesses that he is not yet in a position to make a clear statement ("modo huc, modo illuc distrahor") and concedes that the Pope is not "dominus" but "dispensator beneficiorum", though he is inclined to grant the lawfulness of the compositions on the ground of their being on a level with episcopal procurations and stole fees, *C.T.*, VOL. XII, p. 157 f. However, the insertion of the memorial at this point is not quite certain; it may be part of the conclusion of the controversy. (5) The reform party (Contarini, Carafa, Aleander, Badia) presents a separate report to the Pope—the *Consilium quattuor delectorum*, *C.T.*, VOL. XII, pp. 208-15, which must be dated after 24 September 1537, since Carafa signs as "Card. S. Sixti". (6) Counterproposals by the general of the Servites, Loreri, *C.T.*, VOL. XII, pp. 215-26, not drawn up before November 1537. (7) Memorial by Contarini on his attitude to the primacy, Le Plat, VOL. II, pp. 608-15. (8) Attempt by Contarini to win over the Pope for the views of the reform group (*C.T.*, VOL. XII, pp. 151 ff.) as a sequel to a "conventus R. morum cardinalium" held "hesterna die" and the question raised "in principio illorum capitulorum quae iussu S.tis T.confecimus". The date of this document—October 1538—is based on Dittrich, *Regesten*, No. 373. It is unlikely that the *capitula* are identical with the *Consilium quattuor delectorum* and No. 7 cannot be the "tractatulus" on the compositions.

<sup>3</sup> Dittrich, *Regesten*, p. 98. "Omnes fere R.mi Cardinales favent reformationi . . . adeo ut magnam spem, non dicam conceperim (quia nunquam desperavi), sed foveam, res nostras quotidie melius processuras."



judgment on St Thomas, for even in the latter instance the concept of simony was indirectly included, that is, there was an exchange or barter of something sacred for a material advantage.<sup>1</sup> This view led to a difference of opinion within the committee which had been further enlarged by the addition of several members of a lower rank, including Aleander and Badia, at a date which cannot be ascertained. Contarini accordingly sought to defend it by philosophical and theological arguments in a short address.<sup>2</sup>

The opposition party within the committee represented by Ghinucci and Simonetta and supported by that outstanding expert, Tommaso Campeggio, took the standpoint that compositions were nothing more than a tribute which the Pope demanded for his personal support from the recipients of certain favours, in much the same way as the parochial clergy demanded its stole fees. These contributions therefore were not prohibited by the Gospel (Matt. x, 8); on the contrary, they were justified by the apostolic axiom that "they that serve the altar partake with the altar".<sup>3</sup> When, therefore, the Datary withholds a marriage dispensation granted by the Pope when he signs the petition, until such time as the petitioner pays the composition (i.e. the fees), it is not his intention to sell a spiritual favour for money: the favour has already been granted gratuitously; all he does is to demand the fee for the execution of the document which enables the petitioner to make use of the dispensation.

When he saw that the discussions within the committee failed to reconcile the conflicting standpoints, Contarini drew up for the benefit of the Pope a memorial to which Carafa, Aleander and Badia also appended their signatures. This document is known as the *Consilium quatuor delectorum*.<sup>4</sup> It restates with the utmost clarity the views of the reform group<sup>5</sup> and ends with a refutation of the argument that a reform

<sup>1</sup> Text in *Q.F.*, VII (1904), pp. 263-7.

<sup>2</sup> *C.T.*, VOL. XII, pp. 153 ff.

<sup>3</sup> Campeggio's two memorials drawn up, the first for an unnamed cardinal, in *C.T.*, VOL. XII, pp. 155 ff.; the second composed at the Pope's request, *C.T.*, VOL. XII, p. 157 f. But Campeggio must not be regarded as unreservedly in favour of the compositions, for already in the first memorial he had arrived at the conclusion "compositiones tolerari et excusari posse censeo, approbare non audeo", *C.T.*, VOL. XII, p. 155, l. 16.

<sup>4</sup> *C.T.*, VOL. XII, pp. 208-15.

<sup>5</sup> The chief arguments against the pecuniary aspect of the compositions are: (1) the taxes are determined not by the resources of the petitioner but by their nature or object; (2) the refusal of the expedition of the document in case of non-payment, *C.T.*, VOL. XII, p. 213. The considerate treatment of the opposition party is remarkable, *ibid.*, p. 210, ll. 47 ff.

was equivalent to giving the Protestants an opening and injuring the memory of the Popes who had introduced or at least tolerated the compositions. "Rest assured", Contarini told the Pope, "that nothing will disarm the calumnies of the Lutherans and intimidate the King of England more effectively than a reform of the Curia and the clergy! The attempt to justify all the actions of all the Popes would be an arduous and in fact an endless undertaking.<sup>1</sup> We cast no stones at your predecessors, but from you the world expects better things!"

Thus the controversy was brought before the highest authority. With the full knowledge of those members of the committee who had not put their names to this document and undoubtedly at their request, the General of the Servites, Loreri, wrote a refutation of Contarini's memorial. This document, which rested on sound psychological principles, was also submitted to the Pope.<sup>2</sup> Its essential element was the claim that in themselves the compositions were not a barter—*mercatura*—since the poor were granted their requests gratuitously while those of the rich were rejected if they were contrary to the law. Even Adrian VI, speaking as a theologian, had defended their lawfulness and as Pope he had tolerated them. If Paul III were to forbid them now on the ground that they were simoniacal, the annals of his pontificate would one day contain the following item<sup>3</sup>: "During three years of his pontificate this Pope practised notorious simony; at the end of that period some learned and godly men"—the irony is unmistakable—"convinced him of his error; he accordingly suppressed simony though he made no restitution! On the other hand the Lutherans will triumph: 'We were right', they will say, 'when we spoke of Rome's tyranny and the Babylonish captivity of the Church!'"

This was a good hit. On 2 December 1537 the Bishop of Pavia wrote to Cardinal Gonzaga from Rome: "The reform of the Datary has gone up in smoke."<sup>4</sup> At a later date, when he himself had become Pope, Carafa described to the Venetian envoy Navagero an incident of

<sup>1</sup> The sentence, which is worth pondering in our own days, runs thus: "Magnum certe negotium et infinitum si quis voluerit omnia gesta omnium pontificum tueri" (*C.T.*, VOL. XII, p. 214, l. 42).

<sup>2</sup> *C.T.*, VOL. XII, pp. 215-26. Information on the author in A. M. Vicentini's brochure: *Il Cardinale B. Laurerio di Benevento nelle memorie raccolte dal suo concittadino e correligioso Giuseppe Romano* (Benevento 1925).

<sup>3</sup> *C.T.*, VOL. XII, p. 224, ll. 29 ff., somewhat compressed by myself.

<sup>4</sup> *St. Arch.*, Mantua, Busta 1906, or: "La riforma del datario è ito in fumo"; the Pope is said to have assigned fresh revenues drawn from the Dataria to Carafa and Sadoletto, whereupon the Datary is reported to have said to the commissioners: "Signori, vedete quello che fate. Voi havete 700 scudi al mese sopra questo ufficio e lo volete rovinare, et il danno sarà il vostro."

this period which, like a flash of lightning, lights up the background of the controversy. One day, while still a cardinal, he put his view of the compositions before Paul III by word of mouth. The Farnese Pope listened to him quietly, as was his habit, but the play of his features made it clear to Carafa that a decision unfavourable to the reform had already been taken, that in fact the battle was lost. As a matter of fact, everything went on as before.<sup>1</sup>

Meanwhile both Schönberg's and Loreri's forebodings were coming true. In April 1538 Johann Sturm, a pedagogue of Strasbourg, published the text of the *Consilium de emendenda ecclesia* recently printed in Italy with an introduction couched in relatively moderate terms. Soon afterwards Luther also published a German translation together with a number of sarcastic glosses.<sup>2</sup> Like Adrian VI's confession at the Diet of Nuremberg, this frank speech of a courageous man was greeted with derision as a stupid though cunning attempt to deceive the world. A caricature showed three cardinals engaged in sweeping a church with foxes' tails instead of brooms. Sturm regarded the memorial as a good beginning, but no more than a beginning which would have to be followed up by a fundamental change in the teaching and practice of the Roman Church, that is by a "reformation" as understood by the Protestants. Sadoletto and Cochlaeus defended the *Consilium* as best they could.<sup>3</sup> However, the mischief was done. Though the printing and sale of the memorial was forbidden by a decree published in Rome in the summer of 1538,<sup>4</sup> it was nevertheless

<sup>1</sup> Paul IV's communication to Navagero in 1555 is not chronologically certain, *C.T.*, VOL. XII, p. 208, *n.l.*

<sup>2</sup> Luther's advice in *L.W.*, VOL. L, pp. 288 ff.; for the illustrations see Grisar-Heege, *Lutherstudien*, VOL. V (Freiburg 1923), p. 57 ff. Sturm's letter of 3 April 1538, Sadoletto's reply of 15 July 1538 and Sturm's further communication of 18 July 1539 in Friedensburg, "Das Consilium de emendanda ecclesia", in *A.R.G.*, xxxiii (1936), pp. 28-68.

<sup>3</sup> Cochlaeus's *Aequitatis discussio super consilio delectorum cardinalium* (1538), ed. H. Walter, in *Corp. Cath.*, VOL. xvii (Münster 1931). On pp. 18 ff. and 23 f. Sturm's declarations are quoted together with Luther's gloss: "Also haben sie itzt aber ein Rank erdacht, von der ganzen Kirche Reformation, wie diesz Büchlein fuchsschwänzelt, auf dass, so man solcher Lügen gläubt, hinfurt keins Concilium noth sei", *ibid.* p. 3.

<sup>4</sup> On 3 June 1538 the Mantuan agent De Plotis forwarded the "Consiglio stampato circa la reformatione" and added "qui universalmente è molto biasmato che si sia lasciato stampare, perchè se non se exequisse poi, vengano li preti haver confessato li loro peccati e divulgatigli per tutto senza volere correggere li loro errori". On the same day the *governatore* of Rome forbade the sale of the publication, *Bolletino Senese*, xv (1908), p. 32. Only under Paul IV was the edition of the *Consilium* published by P. P. Vergerio in 1555 put on the Index (Reusch, *Index*, VOL. I, pp. 396 ff.). In consequence of the concise formula of the prohibition the opinion gained ground that all other editions were likewise forbidden.

published in thirteen editions within the next two decades. The question of the reform of the Curia, which by reason of its very nature should have been approached with the utmost delicacy, was expatiated upon by the press and was thereby dealt a heavy blow. That which the opponents of reform had dreaded had come to pass: the very authority of the Pope was being dragged into the discussion. Contarini accordingly judged it necessary to draw up for the information of the pontiff a well-reasoned memorial<sup>1</sup> in which he sought to convince him that his criticism of the papal extremists was neither inspired by an erroneous conception of the primacy nor was it an attempt to restrict the papal authority; on the contrary, its real aim was to strengthen that authority. The book of the "Babylonish Captivity" could not have been written had not the subject matter been supplied by the extremists and by the abuses which they sought to excuse.<sup>2</sup>

Meanwhile the autumn of 1538 had come. After the summer holidays reform was indeed mentioned at the consistory of 5 October, but nothing was done. Then came a day when the enchanting autumnal brightness of the Campagna lured the Pope to take a holiday in the neighbourhood of Ostia. While there he sent for Cardinal Contarini. The Pope told the cardinal that that very morning he had read the tract on the compositions which the latter, when almost despairing of the success of the cause he had at heart, had drawn up as a kind of supreme appeal to the pontiff.<sup>3</sup> In that document Contarini conjured the Pope not to stray from "the road of Christ" and to face the loss of the twenty or thirty thousand ducats which, it was feared, would result from a reform of the Dataria. The two men went once again over the whole ground. Contarini's heart throbbed with joy. But once again his hopes were destined to be dashed to the ground. When a few days later Vittoria Colonna asked him in the hearing of Cardinal Pole why the reform was not being carried through, he merely shrugged his shoulders: the poetess understood what he was unwilling to put into words.<sup>4</sup> The attack of the reform party against the citadel of the curial system—that is, the compositions of the Dataria—had failed.

<sup>1</sup> *De potestate pontificis in compositionibus epistola*, badly edited in Le Plat, VOL. II, pp. 608-15. Its dating in the autumn of 1538, on the basis of Dittrich, *Regesten*, p. 107, No. 373, seems wrong to me though it certainly falls in the last period of the struggle over the legality of compositions.

<sup>2</sup> On the allusion to the *De captivitate babilonica*, see Le Plat, VOL. II, p. 614; cf. Lerer's in C.T., VOL. XII, pp. 223, I. 27, 255, l. 14.

<sup>3</sup> C.T., VOL. XII, pp. 151 ff.; on the doubtful date, see above, p. 429, n.2.

<sup>4</sup> Report of De Flois, an auricular witness, on 18 November 1538, *Bolletino Senese*, xv (1908), p. 33.

## THE COUNCIL OF TRENT

However, the Pope did not by any means intend to drop reform. While the conciliar attempt of Vicenza was drawing to a close and while the policy of reunion unfolded in Germany, Rome became the theatre of extensive preparations for reform. The radius of these preparations was extended still further when in addition to the Dataria the Chancery, the Penitenzieria and the Rota were also subjected to the reform committee although its driving power was weakened by the addition, at the beginning of 1539, of four new members none of whom belonged to Contarini's circle, namely Cupis, Campeggio, Cesarini and Ridolfi.<sup>1</sup> Two reformers were allotted to each of the four chief departments. The colleges of officials were given an opportunity to defend their interests in writing. This measure was the signal for a wearisome paper-war in which the conservative elements soon proved to have the upper hand. The second phase of Paul III's reforming activity—a general reform of the Curia on a conservative basis—had begun.

The many gaps in our information make it impossible to present a uniform and detailed account of the activities of the four sub-committees. The toughest struggle was that over the Penitenzieria. Here those determined reformers, Contarini and Carafa, were faced by the no less determined opponent of reform, Pucci the head of that department. Already there were those who lamented the fact that the poor "Madonna Penitenzieria" should have fallen into such evil hands, that is, into the hands of the two leaders of the reform party. But the latter had to deal with a cunning and tough opponent. On 1 December 1538 Pucci had taken the precaution of obtaining a fresh confirmation of the

<sup>1</sup> The chief source is Sernini's report to Ercole Gonzaga, 19 March 1539, *Pastor*, vol. v, p. 132 f.; *Eng. edn.*, vol. xi, p. 186. The opinion reproduced above that the reform of the Dataria as proposed by Contarini was dropped at the end of 1538 seems to be at variance with Sernini's report that the Pope had declared at the time that "voleva che senza alcun rispetto si assettassano prima le compositioni del datariato" and that afterwards he sent for the Datary and commanded him to obey the orders of the commission. Of the signatories of the *Consilium de emendanda ecclesia* only Contarini and Carafa were present and thus in a hopeless minority. Alexander only reappears in the spring of 1540 (*Vat. lat.* 3913, fol. 152<sup>v</sup>). At his death his place was taken by Juan Álvarez de Toledo on 15 March 1542 (*Pastor*, vol. v, p. 845; *Eng. edn.*, vol. xi, p. 534). Pole is only mentioned among the deputies when on 27 August 1540 their number was raised from eight to twelve, with the result that Cupis, Ghinucci and Pole represented the Camera while Cesarini, Moote and Guidiccioni stood for the Rota, Grimani, Alexander and Ridolfi for the Chancery and Contarini, Carafa and Loreri for the Penitenzieria, *C.T.*, vol. iv, p. 434. On 1 February 1541 Sernini reports that Contarini and Carafa had left Rome so that the commission was reduced to ten members who were wont to meet at the house of Cardinal Cupis, *Pastor*, vol. v, p. 841; *Eng. edn.*, vol. xi, p. 531.

privileges which Sixtus IV had granted to the Grand Penitentiary.<sup>1</sup> True, the two reformers wrested a whole series of reform decrees from the Pope,<sup>2</sup> and in spite of Pucci's extremely skilful defence they even secured in the secret consistory of 6 August 1540 papal confirmation for their own ordinances. However, they were frustrated in their attempts to enforce a substantial curtailment of the powers of the Grand Penitentiary. As a matter of fact, as Cardinal Gonzaga justly observed,<sup>3</sup> such a curtailment would have had but little effect unless similar measures had been taken in regard to the other offices, above all the Dataria. The fact that in a consistory in February 1545 yet another project for a reform of the Penitenzieria had to be read and approved<sup>4</sup> showed that during Pucci's lifetime (he died on 12 October 1544) the reform of that department had made but little headway.

While we know next to nothing about the reform of the Camera and the Rota<sup>5</sup> we have abundant material about the reform of the Chancery.<sup>6</sup> This circumstance enables us to get an extraordinarily clear idea of the procedure adopted by the reform commission. The two reforming cardinals, whose names we do not know, began by having a comprehensive report drawn up on the ordinances issued since the pontificate of Martin V and Alexander VI and on the actual practice of the Chancery, based on the available memorials of experts and the reports

<sup>1</sup> Göller, *Pönitentiaria*, vol. II, ii, p. 93 f.; cf. vol. II, i, p. 114 f., where the report of the agent De Plotis, dated 14 July 1540, which had already been published by E. Solmi in *Nuovo Archivio Veneto*, xiii (1907), p. 10 f., is used to complete that of Sernini mentioned above. On 10 April 1540 Contarini himself wrote to Cardinal Gonzaga: "Combatiamo cum Mons. Sanctiquattro", *Nuovo Archivio Veneto*, vii (1904), p. 263. From De Plotis's report we learn the interesting detail that after Carafa had succumbed to Pucci's arguments Contarini continued the fight alone "a spada tratta".

<sup>2</sup> In the collection of Pucci's reform decrees, Göller, *Pönitentiaria*, vol. II, ii, pp. 43-69, starting from 23 January 1536, the first dated item (*Forma licentiae testandi*) is of 5 November 1538 and the last of 5 May 1542. The doublets clearly show the influence of the reform deputies.

<sup>3</sup> It is in this sense, that is as reservations, not as approval, as Göller, *Pönitentiaria*, vol. II, i, p. 116, would have it, that I think Gonzaga's representations to Contarini dated 18 April 1540 are to be understood, *Q.D.*, II (1899), p. 204 f.

<sup>4</sup> *C.T.*, vol. IV, p. 456 f.; Göller, *Pönitentiaria*, vol. II, i, p. 119.

<sup>5</sup> A change could only come about by means of a detailed history of these offices in keeping with modern historical methods. Cerchiari's repeatedly quoted work on the Rota has in Part iii, pp. 281 ff., a few documents of the reform period, but it is doubtful whether they are genuine products of the reform. The petition of the clerics of the Camera mentioned by Elses in *R.Q.*, xv (1901) p. 169, is too isolated an instance to justify any considerable deductions.

<sup>6</sup> *C.T.*, vol. IV, pp. 457-80, better arranged and completed by Hofmann, *Forschungen*, vol. II, pp. 248-52. The officials' reply there mentioned (Vat. lat. 6222) has been published in the meantime in *C.T.*, vol. xii, pp. 276-85.

of officials.<sup>1</sup> The next step was to give to each category of officials an opportunity to state their views.<sup>2</sup> None of them would plead guilty to any irregularity; all claimed that they did no more than insist on their just rights. The "calumnies" in the report were indignantly rejected: "Negligence there may have been, but no fraud", was as much as the regent of the Chancery, a man who had been in office since 1524, was prepared to admit while the notary of the department boasted of the moderation of his tariffs. "Relying on our just rights," the secretaries wrote, "we expect only one answer: 'Keep what you have!'" The college of abbreviators claimed that the committee's proposals for reform which, in the main, merely aimed at enforcing the fiscal rules laid down by the fifth Lateran Council, were at variance not only with Sixtus IV's charter of foundation but likewise with immemorial custom and the officials' right to emoluments acquired in good faith.<sup>3</sup> From their point of view they were right. The problem of finding a way out of the dilemma created by long-standing custom and the new requirements was well-nigh insoluble. As a matter of fact the economic situation of the officials was not a comfortable one. For various reasons the number of Chancery transactions had greatly diminished while the cost of living had gone up. "We wretched officials of the Curia are dying of hunger", one of them wrote on 20 February 1540.<sup>4</sup>

After the debate between the reform commission and the officials had dragged on for a whole year the Pope pressed for its termination.<sup>5</sup> On 1 July 1540 he assigned a new regent to the Chancery in the person of Tommaso Campeggio. On 27 August he charged Cardinals Grimani, Aleander and Ridolfi to give effect to the reform decrees.<sup>6</sup> We are unable to ascertain whether, or to what extent, this was actually done, but there are good reasons to doubt its having been successfully accomplished. It is enough to compare the various reports about the Bull on general reform which was to embody the reform of individual departments and tribunals. On 27 August 1540 the execution of the reform

<sup>1</sup> *C.T.*, VOL. IV, pp. 457-67, without the *Moderamina* to be mentioned presently.

<sup>2</sup> *Ibid.*, VOL. XII, pp. 276 ff.; VOL. IV, pp. 471-80.

<sup>3</sup> The *Moderamina* inserted by Ehses in the report of the commission, *C.T.*, VOL. IV, pp. 457 ff., subsequently modified in view of the reply of the officials and the memorial of Tommaso Campeggio in *C.T.*, VOL. IV, pp. 467 ff. The abbreviators' appeal to Sixtus IV, *ibid.*, p. 474, l. 16.

<sup>4</sup> Cardauns, *Bestrebungen*, p. 62, n.1; on 21 January 1542, Pole's colleague Niño observed: "In cancelleria altra volte si facevano più facende in un giorno che hora in un mese", *ibid.*, n.2.

<sup>5</sup> Consistorial acts of 10 and 21 April 1540 in *C.T.*, VOL. IV, p. 454.

<sup>6</sup> All the acts mentioned hereafter are in *C.T.*, VOL. IV, pp. 454 ff. For the composition of the commission, see above, p. 434, n. 1.

of the Chancery, the Camera, the Penitenzieria and the Rota, now definitely decided upon, was entrusted to three cardinals for each department respectively. On 21 November 1541 the Pope appointed several cardinals "for the execution of the reform". After the lapse of another six months, on 12 May 1542, that is shortly before the first convocation of the Council of Trent, the question of "concluding the reform of the officials" cropped up once more. On 14 July the heads of the three orders of the Sacred College, Cupis, Carafa and Ridolfi, were appointed executors and on 12 September a Bull was expedited to that effect. Now while it is quite certain that these men carried out their duties with energy, it is equally certain that by a Bull of 5 January 1543 the Pope trimmed their authority and enjoined moderation out of consideration for those cardinals and prelates who held important curial offices. "These prelates", the Bull stated, "must be approached with becoming discretion and dealt with only after mature deliberation." This counter-stroke by officialdom dealt the cause of reform so heavy a blow that the Pope deemed it expedient, "in view of the forthcoming Council", to explain in the consistories of 19 March and 28 September 1543 that the January Bull did not imply that he was no longer resolved to carry out the reforms.

The reform of the official departments on a conservative basis initiated in the years 1540-2, with a lavish display of expert knowledge, failed to achieve its real purpose, as did the bold attack which Contarini's circle had launched against the whole administrative system of the Curia in the years 1536-8.<sup>1</sup> Many an improvement was undoubtedly introduced into the administration of the various departments and many an abuse countered by a shrewd policy in the choice of personnel,<sup>2</sup>

<sup>1</sup> The foregoing account makes it clear that the judgments of Ehses in *R.Q.*, xv (1901), pp. 171 ff.; Pastor, VOL. v, p. 150 f. (Eng. edn., VOL. XI, p. 212 f.); Capasso, *Paolo III*, VOL. II, p. 93, are too favourable at least as regards the genuine reform of the offices. With regard to the Segnatura's practice in respect of dispensations I have shown by examples (*R.Q.*, XLII (1934), pp. 311-32) that decisive progress was only made in the 1550's. As for the Penitenzieria, this only occurred under Pius V. On the other hand the verdicts of W. Friedensburg in his *Karl V und Paul III* (Leipzig 1933) and Cardauns, *Bestrebungen*, p. 58 f., appear to me too severe, so much so that I cannot now identify myself with them to the same extent as in my *Seripando*, VOL. II, p. 53 (Eng. edn., p. 510 f.).

<sup>2</sup> In addition to the above-mentioned appointment of Tommaso Campeggio as regent of the Chancery (1540), the present phase includes the attempt to secure the Dataria for Bart. Guidiccioni (1538), the latter's nomination as prefect of the *Signatura iustitiae* on 17 January 1540 and the dismissal of the Datary Durante on 21 February 1541, *C.T.*, VOL. IV, p. 454, l. 33. On the other hand it must be borne in mind that the efforts for reform were unfavourably affected by the circumstance that as a result of the legations undertaken by him Contarini was no longer available



but on the whole both with regard to the convocation of a Council and the reform of the Curia which was closely connected with it, those proved right who, like Thomas, would first see before they believed.<sup>1</sup> It must be granted that Paul III was at all times interested in reform and repeatedly promoted it by his personal intervention. Nevertheless, if he forwarded the work with one hand he hindered it with the other. The numerous confirmations of the privileges of officials which he granted during those critical years were an obstacle to any sort of reform.<sup>2</sup> There had been so much talk of reform that the meagre result was bound to prove disappointing.<sup>3</sup> In the eyes of those beyond the Alps it was nil.<sup>4</sup>

Yet had there been no advance at all?

In spite of the failures and the partial successes we have described the answer is that the battle for reform had not been fought in vain. When King Ferdinand I at Ratisbon drew the attention of Contarini, who died all too soon, to the need of reform of the Curia, the latter's

after 1541, while Giberti declined to comply with the call to Rome which he received on 27 April 1541, *C.T.*, VOL. IV, p. 189 f. Moreover, a number of leading cardinals were removed by death, viz. Lorenzo Campeggio, 19 July 1539; Simonetta, 1 November 1539; Crist. Jacobazzi, 7 October 1540; Ghinucci, 3 July 1541; Fregoso, 22 July 1541. Aleander, 1 February 1542; Contarini, 24 August 1542; Loreri, 6 November 1542; In a letter of 23 October 1540 (Vat. lat. 3913, fol. 186<sup>v</sup>) Aleander laments the fact that within the space of a year and two months eight cardinals had died, for to the above-named must be added Cles, Lang, Silva, Macon, Borgia and Manriquez.

<sup>1</sup> On 18 March 1539 the agent Lotti wrote to Cardinal Gonzaga: "Quest' aere d'hoggi da causa in tutti che voglian prima vedere che credere", *Bolletino Senese*, xv (1908), p. 35. The French ambassador goes surely too far when he writes on 22 February 1540: "Je suis seur qu'il ne s'en fera rien", Ribier, *Lettres*, VOL. I, p. 504. Niño's view comes nearer the truth (13 April 1540): "Non si verrà al vivo", Cardauns, *Bestrebungen*, p. 85, n.5.

<sup>2</sup> In addition to the confirmation of the privileges of the Grand Penitentiary (Göller, *Pönitentie*, VOL. II, ii, p. 93 f.) to this period also belongs the confirmation of the privileges of the auditors of the Rota, 17 August 1537 (Cerchiari, *Rota*, VOL. III, pp. 287 ff.) and those of the scriptores, referendaries and others, 1535-40, Hofmann, *Forschungen*, VOL. II, p. 67 f.

<sup>3</sup> As early as 25 September 1539, when the general reform of the offices came up for discussion, Ghinucci drew the Pope's attention to the danger of talking reform if it was not carried out, Sernini to Cardinal Gonzaga, 26 September 1539, *Bolletino Senese*, xv (1908), p. 37 f. This conversation should be remembered before we reject as a smart but unjust dictum Seripando's famous remark about Paul III's attempts at reform—"dixit et non fecit", *C.T.*, VOL. II, p. 449, l. 3; also p. 405, l. 12. It is not the whole truth, but wrong it is not.

<sup>4</sup> On 5 February 1541 Poggio states that at the imperial court they did not believe in the publication of the reform Bull, Laemmer, *Mon. Vat.*, p. 346. At the end of 1541 Granvella got the impression in Rome that there had been no substantial change in the conduct of affairs by the various departments, Cardauns, *Bestrebungen*, p. 63. He spoke in the same sense at Trent in 1543, *C.T.*, VOL. IV, p. 304, l. 34; cf. also p. 301, ll. 32 ff. Pole's and Parisio's answers, *ibid.*, p. 306, l. 5. The views of the German bishops, *ibid.*, p. 198.

reply was a judicious and fundamentally accurate verdict on the situation. He readily granted that reform was as yet incomplete; as a matter of fact, it was impossible to carry it through with a single stroke; nor should it be forgotten how much had already been achieved through the elevation to the cardinalate of truly religious men, the insistence on the duty of residence and the general raising of the moral level.<sup>1</sup> With this judgment History is in complete agreement, for though individuals may be found wanting the movement of ideas is irresistible. The ideals of Catholic reform were about to conquer Rome and the Papacy, not indeed by a triumphant victory march, but slowly, amid many obstacles and set-backs and over a real way of the cross. It was symptomatic of the times that St Ignatius's preaching was criticised and denounced in Rome and that it was solely due to his indomitable energy that the incident was not merely quashed but ended with a formal acquittal. When the saint submitted the draft for the Bull of Approbation of his young Society two cardinals of the conservative party, Ghinucci and Guidiccioni, objected not only to this new form of ascetism but to the new foundation itself. Thanks to Contarini's intervention this difficulty also was overcome: the Bull *Regimini militantis ecclesiae* of 27 September 1540 was the first, and perhaps the greatest, success of the reform movement.<sup>2</sup>

Less easily assessed yet no less important was the raising in Rome of the moral and religious standard of conduct of the clergy, from the lowest ranks up to the cardinals. Moral lapses which would have been overlooked in the age of the Medici were now viewed as grievous scandals and every effort was made to hush them up.<sup>3</sup> No longer was the unaffected, disciplined piety of the youthful Archbishop of Naples, Francesco Carafa, sneered at as a display of "Chietinism".<sup>4</sup> The devout

<sup>1</sup> Report of 27 June 1541, *H. J.*, I (1880), p. 487.

<sup>2</sup> The earlier literature in Tacchi Venturi, *Storia della Compagnia di Gesù in Italia*, VOL. II, pp. 153 ff., 293-325. The most important document for our purpose is the report about Ghinucci's objection, Dittrich, *Regesten*, p. 379 f. On the persecution of 1538 see also M.H.S.J., *Fontes narrativi de S. Ignatio de Loyola*, VOL. I (Rome 1943), pp. 8 f., 500 ff. The Bull of Confirmation with the preliminary documents in M.H.S.J., *Constitutiones*, VOL. I (Rome 1934), pp. 1-32. The jubilee literature of 1940 is listed by E. Lamalle in *Archiv. hist. Soc. Jesu*, XIX (1941), p. 325 f.

<sup>3</sup> Very significant in this respect is the way Alexander dealt with the scandal that came to light after the death of his secretary Domenico Mussi (cf. *N.B.*, VOL. I, PT IV, pp. 3 ff.), viz. the disappearance of the money scraped together "Dio sa come in camera di quella donna che teneva", Vat. lat. 3913, fols. 145<sup>v</sup>, 201<sup>v</sup> (8 May and 15 December 1540).

<sup>4</sup> On 30 July 1544 the agent of Ferrara announced the impending death of the Archbishop and added "era assai miglior prelado di molti altri et con tutto che fosse molto giovine, ogni mese senza cerimonia et chietinaria si comunicava et se ne muore molto christianamente", St. Arch., Modena, Roma 27A, or.

men, imbued with a truly ecclesiastical spirit, whom Paul III raised to the cardinalate—Contarini, Carafa, Pole, Cervini, Morone, Badia, Cortese, Sfondrato, Toledo, Mendoza, Silva—were not exceptions to the rule; on the contrary they set the standard of conduct. Even an observer like Granvella, a man who had but little love for the Curia, was forced to admit that the contemporary College of Cardinals presented a very different picture from that of the days of Clement VII.<sup>1</sup> The sixty-three cardinals that composed it at the opening of the year of the Council, 1545, constituted on the whole a truly worthy senate of the Church.<sup>2</sup>

Fraught with even greater consequences than this change in the moral and religious sphere was the fact that the ideals of reform were beginning to make themselves felt in the government of the Church. The ideal of the bishop as a shepherd, the primacy of the pastoral ministry, the spirit of the apostolate began to influence the Curia both in the choice of personnel and in its practical decisions. Fiscal considerations were being pushed into the background, though there was as yet no break with the system of accumulation of benefices in the hands of the cardinals.<sup>3</sup> In this respect the Pope's nephew Alessandro Farnese broke all records. However, a deep impression was made by Cardinal Pole's steady refusal, from conscientious motives, of the government of a diocese. Other advocates of a reform in the College of Cardinals, for similar reasons, took the greatest personal interest in their respective dioceses, as for instance Cervini, first at Reggio-Emilia and later at Gubbio,<sup>4</sup> and Sadoleto at Carpentras, while Morone would not regard his duties of nuncio or legate of the Romagna as absolving him from responsibility for his diocese of Modena.<sup>5</sup> While acting as regent of

<sup>1</sup> Report of 28 November 1541, Cardauns, *Bestrebungen*, p. 64, n.6.

<sup>2</sup> The list, based on a Roman broadsheet, is given by O. Clemen in *R.Q.*, xxv (1911), pp. 185\*-8\*.

<sup>3</sup> The Reform Bull granted the cardinals the right to hold two dioceses but obliged them to provide suitably paid auxiliaries, *C.T.*, vol. xii, p. 272, l. 14. The examples taken from the consistorial acts and which I have quoted in *R.Q.*, xlii (1934), p. 216, prove that even at the close of the pontificate of Paul III the ordinances against the accumulation of benefices by cardinals were still being circumvented.

<sup>4</sup> For Cervini's activity at Reggio see Pastor, vol. v, p. 854 f.: Eng. edn. vol. xi, p. 587 f.; at Gubbio, U. Pesci, *I vescovi di Gubbio* (Perugia 1919), pp. 106 ff., 111-19; Buschbell, *Reformation und Inquisition*, pp. 14, 207 ff.; A. Mercati, *Prescrizioni pel culto divino nella diocesi di Reggio-Emilia del Vescovo Card. M. Cervini* (Reggio-Emilia 1933). There is considerable information about Fregoso's work at Gubbio in the Archivio Armanni I D 8 of that city. Contarini's letters on the administration of Belluno in Dittrich, *Regesten*, pp. 297 ff.

<sup>5</sup> On 21 November 1541 Morone wrote to the Duke of Ferrara that he had been staying at Modena for eight days "per fare residentia alla mia Chiesa et vedere se con

the duchy of Mantua during the minority of his nephew, Bishop Gonzaga imitated the example set by his neighbour Giberti. "At Mantua", the Venetian Navagero reported,<sup>1</sup> "no one is admitted to Holy Orders or granted a benefice unless his manner of life has been found blameless." The ideal of a bishop as a shepherd delineated by Contarini a lifetime before inspired the *élite* and disturbed even the recalcitrant.

In the course of a meeting convened by the Pope on 13 December 1540 more than eighty absentee bishops then living in Rome were admonished by the pontiff in person to betake themselves to their respective dioceses and to carry out their pastoral duties.<sup>2</sup> The incident was of immense significance. The Pope was identifying himself with a demand which the reform party very properly regarded as the hall-mark of the new spirit. If he succeeded in enforcing the duty of residence reform would take a decisive step forward. However, it must be admitted that compliance with this duty—in itself the most natural in the world—had become a problem. Even before the conclusion of the meeting the bishops declared their readiness to comply with the Pope's exhortations provided he would first remove the obstacles to a fruitful activity in their respective dioceses. In a memorial handed in by them shortly afterwards<sup>3</sup> they pointed out that the numerous exempt corporations, such as monasteries, chapters, hospitals, as well as exempt persons—that is, familiars of the Pope and the cardinals and officials of the Curia—rendered an orderly administration of their dioceses almost impossible. Reservations and rights of patronage brought it about that a bishop had practically no say in the bestowal of benefices. He was forced to look on while legates and nuncios made use of their powers, whereas he himself could do little or nothing at all. Preachers and

l'aiuto di Dio e di Quella potea con carità disfamar questa città di V. E. del mal nome che ha pigliato non solo in Italia, ma anchor fuori de queste novità delle opinioni moderne", St. Arch., Modena, Giurisdizione, eccl. Morone, filza 264, or. There is a great deal of material in these archives on the reform of monasteries and the bestowal of benefices at Modena in the years 1542 to 1544.

<sup>1</sup> Report of 1540, Albèri, *Relazioni*, VOL. II, ii, p. 16; A. Segarizzi, *Relazioni degli ambasciatori veneti*, VOL. I (Bari 1912), p. 56. The visitations of the years 1535, 1538 and 1544 ff. give a lively picture of the abuses, see R. Putelli, *Prime visite pastorali alla città e diocesi* (di Mantova) (Mantua 1934).

<sup>2</sup> C.T., VOL. IV, p. 454, l. 25, and the report of Salazar, Bishop of Lanciano, an eye-witness, C.T., VOL. I, p. 113.

<sup>3</sup> C.T., VOL. IV, pp. 481-5, and the deputies' answers, *ibid.*, p. 485 f. The second memorial of 21 February 1541, with the deputies' answers, in C.T., VOL. IV, pp. 486-9; also Ehses in *R.Q.*, xv (1901), pp. 397-403; Pastor, VOL. V, pp. 147 ff.: Eng. edn., VOL. XI, pp. 209 ff. Since the questions here touched upon were fully treated at the Council, I confine myself for the time being to essentials.

confessors of the exempt mendicant Orders, who had almost a monopoly of the cure of souls in the towns, were appointed by their own superiors and thus constituted a state within the state. It was the easiest thing in the world to circumvent the authority of the tribunal of the diocesan bishop by appealing to Rome or by invoking the secular power. In such cases the ordinary, who was best acquainted with local conditions, became himself liable to be cited to Rome or summoned before a higher secular court. In the South bishops were deprived of a considerable part of their modest income by pensions and tenths. It was no exaggeration to say that as soon as a prelate made up his mind to reside in his diocese and to carry out his pastoral duties he could be certain that a whole chain of annoyances, disappointments and lawsuits awaited him. Was there not every excuse, therefore, if many a bishop preferred to live in Rome, in the palace and under the patronage of some friendly cardinal who was in a position to improve his economic situation by obtaining further benefices for him while at the same time he enjoyed the amenities of life in the metropolis? After all, what could be done to retrieve the confused situation of a diocese in the depths of Apulia or in the Marches! The bishops' demands, on the whole, were not unreasonable. However, a number of the "obstacles" enumerated by them could not be removed by the Pope alone since they were created by the state or by laymen. The others, which were traceable to the administrative system of the Curia, he could in theory remove, but in practice he met with the same kind of resistance as that which was offered to the reform of the official departments. The cardinals charged with the study of the bishops' memorial—probably the same dozen who on 27 August 1540 had been entrusted with the reform of the officials—would have had to pull down entire wings of the extensive buildings in which they themselves lived. Exemption, now the butt of a violent attack, was at first a privilege granted by the Roman See to a chapter, an abbey or a whole religious Order, with a view to their free development. Those who benefited by the privilege fought for their independence of the bishops as a properly acquired right which secured sundry advantages for them while for the Papacy it was a trusty means with which to assert its universal authority. The commission of cardinals did not even consider the abolition of corporative exemptions but contented itself with limiting the personal ones.<sup>1</sup> Even then they were careful

<sup>1</sup> *C.T.*, VOL. IV, p. 485, l. 3 ff. (*protonotari participant*) and actual familiars of cardinals. Thereupon the bishops demanded at least the right of correction, *ibid* p. 486, l. 25.

not to touch the sensitive nerve. The reservation of the benefices of a familiar of a cardinal and his personal exemption were as good as ready money since they enabled the cardinals to remunerate their household without putting their hands into their pockets. It was too much to expect them to forgo of their own accord so great an advantage. Cardinal Ghinucci drew attention to a prohibition formerly issued for Flanders which forbade disputes about minor matters involving sums of less than twenty-five ducats to be taken to Rome. The result was that no lawsuits from that province were ever brought before the Roman tribunals, neither in the first instance nor in subsequent ones, even when the benefice in dispute was worth 10,000 ducats. "Means must be found", he said in the conclusion of his memorial,<sup>1</sup> "to meet the bishops, but without any undue curtailment of the interests of the Roman Curia."

The line of action thus traced out by Ghinucci was also the one laid down in the Bull *Superni dispositione consilii*<sup>2</sup> drawn up at the beginning of 1542. Its purpose was to make it easier for the bishops to comply with the duty of residence and to encourage them to do so. The Pope made important concessions to bishops in residence by which he strengthened their position in their dioceses and helped them to meet the demands of the pastoral ministry. Thus, for instance, parish priests who were also members of exempt Orders were to be completely subject to the ordinaries; vicars of incorporated parishes were likewise subject to their authority in so far as the cure of souls was concerned. In virtue of a special apostolic indult all the exempt were subjected to episcopal visitation—the actual familiars of the Pope and the cardinals alone being withdrawn from their jurisdiction. The privileges of the Orders with regard to preaching and the administration of the sacraments were curtailed in several respects. The Pope also fulfilled a promise made by him at the above-mentioned meeting of the bishops: to all residing bishops he gave the right to dispose of the benefices within their dioceses in the even months. He ended by protecting them against frivolous

<sup>1</sup> *C.T.*, VOL. IV, p. 489, l. 10. From a letter of Aleander, dated 20 June 1540, it appears that the reform of the courts of appeal had been considered even previous to the bishops' request. In connexion with an incident at Brindisi Aleander wrote to the archdeacon of that city: "Et perchè tra gli altri articoli della reformatione, la qual si tratta (essendo noi uno delli deputati) già siamo quasi del tutto resoluti che le cause beneficali di qualunque somma si trattino in partibus in prima instantia, et per il Concilio Lateranense fu decreto che dette cause etiam di alquanto maggior somma di questa di Don Bilisario si debbano giudicare là dove sono nate, detto pover huomo facilmente harebbe ottenuto qui una commissione ad partes." Vat. lat. 3913, fol. 152<sup>v</sup>.

<sup>2</sup> *C.T.*, VOL. IV, pp. 489-98.

citations to Rome and the censures connected with them and admonished the secular powers to respect the Church's freedom.

The bishops might have been well satisfied with what they had secured if the Bull *Superni dispositione consilii* had been given force of law. This was never done. Consultation of the exempt Orders and their cardinal-protectors brought forth fresh objections, while the opposition of the secular powers to the part of the Bull dealing with the secular arm finally prevented its enforcement.<sup>1</sup> The Bull was only a gesture. On 11 February 1541 the Pope fixed the narrow time-limit of twenty days within which the eighty bishops whom he had reminded of their duty of residence were to return to their respective dioceses. We do not know how many complied with the injunction. The first papal measure to enforce the bishops' duty of residence proved a failure, though it was a real achievement for the reform movement that it should have been taken at all. Once taken up by the highest authority—and its consequences carefully calculated—the question of residence never came to rest. The ideal of the bishop as conceived by Catholic reform was on the march and was steadily gaining ground. Nothing throws a clearer light on this fact than the Pope's solicitude for his own diocese of Rome. The appointment as *Vicarius Urbis* of the trusty Guidiccioni, a man already marked for the cardinalate, is proof of a desire to invest this post, which until then had ranked far below that of the *Governatore*, with an importance in keeping with the new conditions.<sup>2</sup> The Milanese jurist Filippo Archinto who had held the post since 1542 had conceived his office as a pastoral task. He proved it by his labours on behalf of the clergy of Rome, his collaboration with the first Jesuits, and lastly, by his composition of a catechism.<sup>3</sup> Only a few more years were to elapse before the office of Vicar of Rome would be one of the most important of all the posts allotted to cardinals.

Paul III was not the first Pope of the Catholic reformation, but he

<sup>1</sup> In view of what happened later on at Trent the inquiries made from the procurators of orders and the cardinal-protectors on which Sernini reports on 3 December 1541 (Pastor, VOL. V, p. 843; Eng. edn., VOL. XI, p. 583) must be regarded as more weighty than the opposition of the governments which, in Contarini's opinion, had been almost completely overcome; cf. letter of 5 January 1542, *Q.F.*, II (1899), p. 218. Morone's remark of the year 1543, *C.T.*, VOL. IV, p. 305, l. 18, quoted by Ehses in *R.Q.*, xv (1901), p. 156, refers to Church reform in Germany.

<sup>2</sup> Guidiccioni's nomination on 22 November 1539, Schweitzer in *R.Q.*, xx (1906), p. 153.

<sup>3</sup> The nomination according to Eubel, *R.Q.*, VIII (1894), p. 499, who corrects G. Moroni, *Dizionario di Erudizione storico-ecclesiastica*, VOL. IC, p. 93 f. For Archinto's activities see Lauchert, *Literarische Gegner*, pp. 466 ff.; Pelliccia, *La Preparazione ed ammissione dei chierici ai santi ordini nella Roma del secolo XVI*, pp. 112 f., 165 ff.

paved the way for it.<sup>1</sup> The sharp ear of this superior man heard the call for Council and reform. but the delicate, aristocratic hands of the old prelate which we admire in Titian's painting of 1543, lacked the strength to cut the threads which linked his whole being as well as the interests of the Curia with the Renaissance period of the Papacy. Between 1536 and 1538, on the suggestion of his best advisers—Contarini, Morone and Cervini—he courageously undertook a general reform of Church and Curia. This he did not only because he was convinced of its necessity but likewise in order to prevent the Council convened at Mantua and later transferred to Vicenza from meddling with so delicate a matter, one which, as was shown by the reform Councils, might even become dangerous. At any rate he was determined to restrict the area of attack. The large-scale reforming activity which he initiated between 1539 and 1541, after the ill-success of the first convocation of the Council, was conceived as a compensation for the prorogued assembly and as a counterpart of the contemporary negotiations for reunion. It is easy to see that the resumption of the plan for a Council in the summer of 1541 had some bearing on the formal conclusion of these reforming activities. "Reform without a Council" was no manœuvre to delude public opinion; nor was it merely a question of conscience; on the contrary, it was a carefully thought-out and fully justified attempt to strengthen the position of the Papacy both in general and in relation to a Council. The later development of the question of a Council to which we are about to revert shows that these considerations were only too well founded. More than once during the course of the Council appeal was made to principles laid down during this period.

<sup>1</sup> H. Jedin, *Katholische Reformation oder Gegenreformation?* (Lucerne 1946), p. 28 f.



## The First Convocation of the Council of Trent

WHEN in the course of the summer of 1541 Paul III decided to propose a General Council to the German Estates, his determination was primarily inspired by the situation in Germany. The Ratisbon discussions for reunion had proved barren of result. The Pope accordingly reverted to the plan for a General Council which had been in abeyance since the meeting of Nice. By this means he hoped to counter both the fresh threat of a German national council and the no less objectionable policy of toleration. But it is more than a surmise that he was actuated by yet another motive, namely the encroachments of the new doctrines on Italian territory.

From Ratisbon Cardinal Contarini had raised a warning cry. The conflagration, he wrote, after spreading over the whole of northern Europe, was about to cross the Alps and set Italy aflame.<sup>1</sup> A few days later, as if to confirm Contarini's prognostication, the Pope received a report from the Marchese del Vasto in which the latter described the progress of heresy in the duchy of Milan and the inadequacy of the means with which it had been resisted until then.<sup>2</sup> The consistory of 15 July 1541 accordingly decided that the supreme direction of the Inquisition should be exercised from Rome. The duty was allotted to Cardinals Carafa and Aleander—both of them men whose character was a guarantee that an end would be put to the forbearance hitherto practised. This was the first step towards the establishment of the Roman Inquisition on 21 July 1542, almost exactly a year later.<sup>3</sup> The event marked the beginning of the parting of the ways within Italian evangelicalism. Bernardino Ochino, the Vicar General of the Capuchins

<sup>1</sup> Contarini to Farnese, 9 June 1541, *H. J.*, I (1880), p. 480.

<sup>2</sup> Ruggieri to the Duke of Ferrara, 16 July 1541, St. Arch., Modena, Roma, 27 A, or. Vasto's report of 28 June in Tacchi-Venturi, *Storia della Compagnia de Gesù in Italia*, vol. I, ii, pp. 127 ff., together with his ordinances against the Protestants in Pavia, Cremona, etc., Chabod, *Storia religiosa dello Stato di Milano durante il dominio di Carlo V* (Bologna 1938), pp. 192 ff. On the Augustinian Agostino Mainardi who fled to Switzerland at this time, see H. Jedin, *Seripando*, vol. I, p. 263.

<sup>3</sup> The second step towards the establishment of the Inquisition was the abolition by the brief *In Apostolici culminis* of all indults by means of which culprits had hitherto evaded responsibility, ed. Fontana, in *Archivio della Società Romana di storia patria*, xv (1892), p. 283 f. The Bull of Foundation is in *Bull. Rom.*, vol. VI, p. 344 f.

and a famous preacher, evaded examination by the Inquisition by flight to Geneva, just as his friend Vermigli fled to Strasbourg for the same reason. Evangelical circles were discovered not only at Milan and Venice—those natural avenues for an invasion of Italy by the German and Swiss reformation—but even at Modena and Lucca.<sup>1</sup>

These facts caused many people—doubtless the Pope among them—to appreciate the greatness of the peril. They were horrified as they realised that spiritual movements cannot be stopped by material barriers, that on the contrary they speed through space like waves of ether and find “receivers” everywhere. Evangelicalism had obscured the dogmatic divergences; apostasy had been far too generally regarded as a concern of the northern countries alone.

The encroachment of the movement on the Latin nations made it plain that the instinct of self-preservation laid upon the Church the inescapable duty of holding Protestantism at arm’s length and of establishing universally binding rules of faith on the lines laid down by controversial theology, rules by which preachers and teachers would be bound no less than the Inquisitor himself. It was, of course, no less important that all the available forces of religious renewal should be harnessed so that the Church might carry out the reform which the dissidents claimed to have effected within their own camp, for though a reform on a Catholic basis had been started in Rome, it had never been completed. In view of the existing situation the first of these two problems could only be solved by a General Council; for the solution of the second a new possibility offered itself. Thus it came about that the discussion at the consistory of 15 July 1541 of the measures to be taken against heresy in Italy passed on almost spontaneously to a discussion of a plan for a Council. Though circumstances did not seem favourable for such a gathering, the Pope declared that he would nevertheless inform the princes of his intention to end the suspension of the Council of Vicenza. His language sounded none too resolute. The offer of a Council had been made, but from Ratisbon to Trent the road was exceedingly long. It required many more bitter experiences to steel the Pope’s resolution and great tenacity and perseverance were

<sup>1</sup> To Pastor, VOL. V, pp. 337 ff., 705 ff.: Eng. edn., VOL. XI, pp. 488 ff., VOL. XII, pp. 492, and the literature quoted by him, must be added F. C. Church, *The Italian Reformers*, 2 Vols. (New York 1931); D. Cantimori, *Eretici italiani del Cinquecento* (Florence 1939), especially for the emigrants; F. Lemmi, *La riforma in Italia e i riformatori italiani all’Estero* (Milan 1939); for Ochino, see R. H. Bainton, *B. Ochino esule e riformatore senese del Cinquecento* (Florence 1941) and B. Nicolini, *B. Ochino e la riforma in Italia* (Naples 1935).

needed if he was to redeem his promise in spite of all obstacles and even in spite of a fresh failure.<sup>1</sup>

At the conclusion of the Diet of Ratisbon the Emperor had hastened to Italy in order to carry out the long-planned undertaking against Algiers in the autumn of the same year. A meeting between him and the Pope took place at Lucca from 12 to 18 September 1541, when they discussed the political situation in general as well as the projected Council and the reform of the Church in Germany which were so closely connected with it.<sup>2</sup>

The political horizon was darkened by ominous clouds. France's negotiations with the Porte left no room for any uncertainty that a fresh war on a large scale was imminent. The French court regarded the assassination, on Milanese territory, of Fregoso and Rincone, its envoys to Constantinople, as a breach of the truce of Nice. With a view to saving the armistice the Pope offered his arbitration. It was accepted by the Emperor, who by this means obtained at least a breathing space which would allow him to carry out without interference his African enterprise and to strengthen his whole position by a closer *rapprochement* with England. The issue of the ecclesiastical-political conversations was less satisfactory. It was decided that a prelate should be sent to Germany to promote the reform of the Church, but no agreement was come to on the crucial problem of the Council and of the place of its assembly. The Emperor favoured Trent. He stressed the fact that in that city, which was both ecclesiastical property and a strong place, the Pope would be no less safe than in his own territory. Paul III, however, declined Trent on account of the French. He also pointed out that it would be at variance with the ecclesiastical character of a Council if he were to appear there escorted by armed forces. The choice of a locality was accordingly left undecided. For the purpose of elucidating

<sup>1</sup> Best survey of the political history of the following years in Cardauns, *Nizza*, pp. 189-238, 266-308. Some of the documents not quoted in that work were subsequently published by W. Friedensburg in *A.R.G.*, xxix (1932), pp. 35-66.

<sup>2</sup> For the Lucca conversations see the notes made by the papal side in *A.R.G.*, xxix (1932), pp. 38-42. Ardinghello's instructions in *C.T.*, vol. iv, p. 206 f., Verallo's in *N.B.*, vol. i, pt vii, pp. 165 ff. The *Avisi* in the St. Arch., Modena, Lucca, are only concerned with ceremonial. For the literature, see Brandi, *Quellen*, p. 308; Cardauns, *Nizza*, pp. 191 ff.; Korte, *Die Konzilspolitik Karls V*, p. 48 ff. According to Poggio the imperial proposal for the locality of the Council was as follows: "Pare che non si possi trovare altro loco atto ad ciò che Trento, del quale si potrà N.S. assicurare, sì perchè è devoto a S.B. ne, sì etiam perchè è loco forte e lo potrà S.S. ta munire et havere in sua potesta per tenerlo come loco proprio et come se ne fusse signore", *A.R.G.*, xxix (1932), p. 39; Granvella's proposal in this sense and the above-quoted answer of the Pope, *ibid.*, p. 41 f.

it, as well as for the furtherance of such points as had not been settled at Lucca, Granvella, the Emperor's first minister, remained behind in Italy.

In a memorial drawn up in mid-October Contarini laid down a line of conduct for the papal side in the forthcoming negotiations.<sup>1</sup> His first demand was that the Council must be held without fail. Now that the offer had been made the Pope could not go back on his promise. Germany was out of the question for the actual meeting of the Council because the Pope's participation would then be impossible. France and Spain were likewise out of the running because the Germans would not go there, hence Italy alone remained. Imperial Milan would never be agreed to by the French; Ferrara and Bologna were papal cities; so the only acceptable locality for the Council was Mantua. The negotiations between Cardinals Farnese and Cervini on the one hand and the imperial representatives Granvella and Aguilar on the other opened at Bologna and ended in Rome. The result was not encouraging. The question of the Council had not been carried one step further.<sup>2</sup> The papal party insisted that there could be no question of a city of the Empire. Trent, which the imperial party urged, was too small, unhealthy and not easy to provision. To Granvella's plea that no German prince, whether Catholic or Protestant, would attend a Council outside the Empire, Farnese replied that even if it were true that the Protestants would refuse to be represented at a Council convoked by the Pope, the Catholics would undoubtedly go to wherever the Pope might summon them. The written acceptance of several bishops was there to prove it.<sup>3</sup> Instead of Trent the papal negotiators first proposed Mantua and Ferrara and eventually Cambrai, which, like Trent, was situated within the Empire though it had long ago become a French town. None of these proposals proved acceptable to the imperial party. Ferrara, they argued, was a papal fief, hence even less suitable than Mantua, while the cardinals would refuse to travel to distant Cambrai. As a matter of fact Cambrai was situated in the very centre of the future theatre of war. Its choice was inspired by a desire to please the French. In the end the Pope himself dropped it at the last audience granted to Granvella and Aguilar on 19 November. In its place mention was made of

<sup>1</sup> *C.T.*, VOL. IV, p. 208 f.

<sup>2</sup> Chief sources: Farnese's letters of 15 and 21 November, *C.T.*, VOL. IV, pp. 210 ff.; reports of the imperial negotiators, 14 and 22 November, *Cal. of St. Pap., Spain*, VOL. IV, i, pp. 386-93, 396-406 (Nos. 206 and 208).

<sup>3</sup> Farnese is probably thinking of the memorial drawn up towards the close of the Diet of Ratisbon by Cardinal Albrecht of Mainz, *C.T.*, VOL. IV, p. 203 f.

Modena, which, though subject like Ferrara to Duke Ercole II, was not a fief of the Papal States. However, like all other localities proposed by the Pope's side, the choice of Modena could not be reconciled with the obstinately maintained thesis of the imperialists, which, at bottom, was nothing else but the old formula of "a council in German lands".

As in the affair of the Council, so no understanding was arrived at on the other subjects of negotiation. Meanwhile Francis I had declined the Pope's arbitration on the plea that he was unwilling to have his hands tied. So the only thing the Pope could do was to resume, on his own initiative, the thankless role of a mediator, which he had played before and during the last war.<sup>1</sup> He rejected the imperialists' demand for the reinstatement of his rebellious vassal Ascanio Colonna, nor would he hear of making himself responsible for a quarter of the eventual war expenditure to be incurred by the Catholic League of Nuremberg. He only yielded to the imperialists' pressure to the extent of naming a specified figure for his contribution to the war against the Turks. Granvella left Rome on 22 November an embittered man. His final report and the great memorial in which he summed up his impressions<sup>2</sup> contributed very largely to the mutual distrust which continued to poison the relations between Pope and Emperor during the ensuing years and to paralyse the progress of the affair of the Council. Granvella stated his conviction that there would be no Council and that it was useless to bring pressure to bear on the Pope both on this point and on that of Church reform since the pontiff shrank from any real sacrifice for either cause. This conviction became also that of the Emperor. The Pope was justified in regarding the secret declaration of Ratisbon as a deception both of his legate and of himself and he reproached the Emperor for his dealings with Henry VIII even more severely than Francis I for his alliance with the Porte. In the course of the negotiations Cardinal Farnese gathered the impression that for the time being the imperialists were not greatly interested in a Council.

The only practical result of the Roman negotiations was the despatch of Morone to Germany. He was assigned a threefold task<sup>3</sup>: (1) he was

<sup>1</sup> Survey of the papal efforts for peace in Pastor, VOL. V, pp. 470-7: Eng. edn., VOL. XII, pp. 147 ff.; Cardauns, *Nizza*, pp. 266-75.

<sup>2</sup> Both pieces, dated 28 November, published by W. Friedensburg in *A.R.G.*, XXIX (1932), pp. 45-62; the passages referring to the Council and reform, pp. 46, 50, 58.

<sup>3</sup> The instructions of 8 January 1542 in Raynald, *Annales*, a. 1542, Nos. 2-8; corrections and previously settled guiding principles in *N.B.*, VOL. I, PT VII, pp. 99 ff. The part referring to the Council also in *C.T.*, VOL. IV, p. 214 f. The reports from Speyer in part already in Laemmer, *Mon. Vat.*, pp. 399-428; additions in *N.B.*, VOL. I, PT VII, pp. 111-45.

to discuss the Pope's joining the Catholic League and his contribution to the Turkish war; (2) to further the execution of the reforms to which Contarini had obliged the German bishops to consent at the Diet of Ratisbon; (3) to sound the attitude of the Estates in regard to the locality of the Council. Morone entered on his task of a reformer while still on the way, during a stay with Cristoforo Madruzzo, the newly appointed Bishop of Trent. He also made sure of the active assistance of Duke William of Bavaria, on whom he called at Munich. While at Dillingen he studied the prospects of reform with the Bishop of Augsburg.

Christoph von Stadion stood on the brink of the grave (d. 1543). The gaze of that shrewd and experienced prelate lingered on the past, on the long sequence of lost opportunities.<sup>1</sup> The retrospect filled him with deep pessimism. If only Rome had furthered the reform of the Church twenty years ago, as she was doing now, much could have been achieved and even more could have been prevented! But now? "Now", he told Morone, "things have come to such a pass that, as a result of the collapse of ecclesiastical discipline during two decades, the continual encroachments of secular princes and the terrible lack of priests, even if the bishops were willing to do what is right they would not have the power."

Morone was not the man to allow himself to be discouraged by this attitude of resignation of a weary old man, even though there were some justification for it. "The consciousness of past mistakes", he told Stadion, "must not paralyse the activity of the bishops in their respective dioceses." This was the only right attitude, to it belonged the future; but for the moment Stadion's pessimism was justified. The hour for a large-scale reform of the German Church had not yet struck. The energies which within and without were working for a renewal were not yet strong enough for a mighty counter-offensive against the Reformation.

From the moment of his arrival at Speyer, Morone began to discuss reform with the bishops gathered in that city. He quickly perceived that not one of them was prepared to begin with himself. Some suggested, not without a touch of irony, that he had better start his reform work in Rome; others, among them the well-disposed but weak Cardinal of Mainz, were of opinion that a reform *before* the Council would be premature; others told him that the Lutheran districts were the best field for his missionary zeal; some even went so far as to

<sup>1</sup> Laemmer, *Mon. Vat.*, p. 402 f. (8 February 1542).

threaten to go over to Lutheranism if they were bothered with reforms.<sup>1</sup> All that Morone could do was to admonish them individually. This he did with the utmost kindness. The Archbishop of Bremen had vanished from Speyer four days after the nuncio's arrival so that Morone had no chance to speak to him on the subject of reform. Those who were most in need of reform took good care not to put in an appearance. Morone admonished them by letter, among them the Archbishop of Cologne, Hermann von Wied, but all his efforts did not avail to restrain that prelate's leanings towards the new religion.<sup>2</sup> The best disposed of them all was actually the Bishop of Constance, Johann von Weeze, on whom Aleander had been so hard only three years earlier. Cardinal Albrecht of Mainz submitted a comprehensive scheme for reform which was to serve as a basis of discussion at a future provincial Council. Morone saw clearly that it would never be carried into effect; as a matter of fact it never got beyond the blue-print stage.

The only tangible results of these first efforts for a Catholic reform in Germany were due to the Jesuits Faber, Bobadilla and Jajus, who accompanied and assisted Morone. In the course of their pastoral work in South Germany and in Austria during the following years, these zealous priests scattered seeds which eventually sprang up and grew to maturity, but the requisite conditions for a reform on a grand scale were lacking, above all in the episcopate. Robert Wauchope, Morone's Scottish assistant, who had settled at Ratisbon with Jajus, was expelled by the city council at the beginning of 1543.<sup>3</sup>

What made Morone's extraordinary mission to Speyer memorable was not so much his fruitless efforts for Church reform, or the Pope's prospective adhesion to the Catholic League, as his success in getting Trent accepted as the locality for the Council. The question of locality had entered a new stage when Mantua, the first of the four cities mentioned in Morone's instructions, was definitely ruled out. Cardinal Gonzaga, who jointly with his sister-in-law was acting as regent during the minority of his nephew, had informed Contarini that, after consultation with his brother Ferrante, he felt bound by the will of his deceased brother, hence he could not make Mantua available for the Council. In any case the German Protestants would regard his government as

<sup>1</sup> *N.B.*, VOL. I, PT vii, p. 119 f. (3 March 1542).

<sup>2</sup> Laemmer, *Mon. Vat.*, p. 418 f.

<sup>3</sup> Wauchope's and Jajus's letters publ. by B. Duhr in *Z.K.Th.*, xxi (1897), pp. 593-621; the same on Bobadilla's activity, in *R.Q.*, xi (1897), pp. 565-93; summary by the same in *Geschichte der Jesuiten in den Ländern deutscher Zunge* VOL. I, (Freiburg 1907), pp. 3-32.

suspect and he himself might easily find himself at variance with the Emperor if, as was to be expected, Francis I were to come to the Council with an armed escort. There was something to be said for these arguments, but they were not the decisive ones. The Gonzagas' decision was chiefly prompted by financial considerations. What they feared was that the expenses in connexion with the inescapable duties of hospitality would interfere with the restoration of the finances of their house which had been thrown into confusion by the late duke.<sup>1</sup>

With Ercole II of Ferrara the Pope apparently never entered into any negotiations. When the Duke inquired from Morone before the latter's departure how the question of the locality of the Council stood, the cardinal told him that besides Ferrara, Modena was also being considered but that no final decision had as yet been arrived at.<sup>2</sup> It was precisely with a view to securing such a decision that Morone was going to Germany.

As was to be expected, Ferdinand I received the announcement of the Council with scepticism, in fact even the Pope's sincerity was called in question.<sup>3</sup> Morone did his best to dispel these clouds of mistrust. On the other hand Farnese's claim that the German Catholics had abandoned the Recesses of the imperial Diets and were prepared to agree to any locality designated by the Pope, even outside Germany, proved unsound. The Archbishops of Trier and Cologne refused to commit themselves. King Ferdinand, though personally indifferent, warmly supported the choice of Trent, and even Duke William of Bavaria was of opinion that this was the best solution in the event of Mantua falling through.<sup>4</sup> This was also Morone's personal view. On the strength of the latter's reports the Pope decided on 6 March 1542 to modify his previous instructions in the sense that if none of the four Italian cities mentioned in them met with the approval of the Estates, the nuncio was to propose Trent.<sup>5</sup> The

<sup>1</sup> Gonzaga to Contarini, 18 January 1542, Vat. Lib., Barb. lat. 5790, fols. 112<sup>v</sup>-113<sup>v</sup>; cop., letter of the same to Ferrante, 12 January, *ibid.*, fol. 108<sup>v</sup>.

<sup>2</sup> Morone to the Duke of Ferrara, 18 December 1541, St. Arch., Modena, Giurisdit. eccl., filza 264 or, publ. in part in *N.B.*, vol. I, pt vii, p. 105 f.

<sup>3</sup> At Ratisbon the Emperor said: "Quando io il vedrò, il crederò", Contarini on 10 July 1541, *H.ſ.*, I (1880), p. 493. Stadion was of the same opinion, cf. Laemmer, *Mon. Vat.*, p. 403. On 19 January Eck wrote to Alessandro Farnese; "De universali concilio agite ut orbis christianus videat non stare per pontificem quominus concilium fiat"; *Z.K.G.*, xix (1899), p. 478 f.

<sup>4</sup> *N.B.*, vol. I, pt vii, pp. 119 f., 186; Laemmer, *Mon. Vat.*, pp. 406 ff.

<sup>5</sup> *C.T.*, vol. IV, p. 217 f. Korte's view, *Die Konzilspolitik Karls V.*, p. 54, that the Pope only agreed to Trent, which he had hitherto obstinately declined, because he counted on the Council not materialising, finds no support in the sources to which I have access, but there is no doubt that his assent was reluctantly given.



prospective date for the convocation was to be Pentecost 1542. This would have been a very short time-limit indeed. However, Morone assured King Ferdinand that though the Council would be inaugurated at Whitsun, the opening would be followed by a period of waiting.

Such were the proposals with which Morone presented himself before the Catholic Estates on 23 March.<sup>1</sup> However, even before he could get a reply, he found himself in a most painful predicament as a result of fresh instructions from Farnese, dated 21 March. They were to the effect that at the consistory of 15 March, Cambrai had once more been spoken of as the most suitable locality for the Council. The proposal of 23 March was thus nullified. What was to be done? After consultation with Verallo, the ordinary nuncio, with King Ferdinand, and with the leaders of the Catholics—Mainz, Trier, Bavaria—Morone came to the conclusion that for the moment the best thing was to wait for the reply of the Estates. They accepted Trent. But now, whether he liked it or not, Morone was compelled to come out with the fresh proposal of Cambrai. The effect was shattering. No one was prepared to believe that the motive alleged for the choice of Cambrai, namely that in the event of war that city would be less exposed than Trent, was the true one. It was obvious that the Franco-Netherlandish frontier was much more likely to become a theatre of war than Trent, which was remote from any possible Italian theatre of war. Many people had the impression that the new proposal was no more than a diplomatic manœuvre—an intrigue of those cardinals who opposed the Council and were accordingly resolved to sabotage it.<sup>2</sup> Once again the sceptics were triumphant: had they not always said so! Even Morone's sincerity was called in question. A general distrust, mixed with a secret fear of the Italians' diplomatic subtlety, gained the upper hand. Was not the whole proposal a cunningly laid trap which would make it possible to lay the blame for the failure of the Council on the Germans?

Thanks to his diplomatic skill, Morone succeeded in extricating himself from an awkward situation without injury to his reputation. He persuaded King Ferdinand to agree to the oral reply of 1 April being regarded as non-extant, on the ground that it had been given without his formal participation. This manœuvre would leave the way open for second thoughts by the Estates. On 4 April the latter informed

<sup>1</sup> Morone's proposition in *C.T.*, vol. IV, p. 218; his report of 28 March in Laemmer, *Mon. Vat.*, pp. 419 ff.

<sup>2</sup> *Ibid.*, pp. 424 ff. (3 April 1542).

the nuncio of their decision. It was in writing<sup>1</sup> and was identical with the first: they accepted Trent. The proposal of Cambrai was passed over in silence. In a postscript to his despatch of 3 April Morone observed with an indignation which may have been partly simulated,<sup>2</sup> that this silent omission constituted an affront to the authors of the new project. Yet that answer was better than a refusal. The meeting of the Council at Trent, which Morone had advocated from the first, was thus assured. But if out of consideration for France some town in the West appeared preferable, he suggested either Trier or Liège. He also pointed out that the Lutherans' protest which repeated the old formula "a free Christian council in German lands", did not finally close the door on further negotiations.

Thereupon Morone returned to Rome, where, on 2 June, he received the well-earned red hat. Meanwhile the Bull of Convocation was being drafted. The consistory of 26 April had finally decided in favour of Trent. The date of Whitsunday could no longer be maintained. The feast of the Assumption of Our Lady (15 August), that of St Luke (18 October) and All Saints (1 November) were proposed in turn. The latter date was eventually agreed upon. On 22 May the text of the Bull of Convocation *Initio nostri huius pontificatus* was read in consistory. This date was retained although the Bull was only published in the traditional manner on 29 June.<sup>3</sup>

The introduction recounts in detail the story of the Mantua and Vicenza convocations and fixes with historical accuracy the Ratisbon offer of a Council as the starting-point of the present convocation. The Pope goes on, almost apologetically, to explain that he had not been able to wait for the assent of Christian princes because the Turkish peril and the threatening situation in Germany demanded the utmost speed. For the same reason a whole year's interval required by a certain decree—the decree *Frequens* was meant—if a change of locality was made, could not be adhered to, hence 1 November of the current year was decided upon. The choice of a border town was justified by its favourable geographical situation. The Pope does not shut his eyes to the fact that great difficulties must be expected and that the result of the convocation is uncertain. However, what human planning cannot achieve, God's power will bring about. Trusting in divine assistance,

<sup>1</sup> C.T., VOL. IV, p. 221. The Estates, however, declared that they would have preferred Ratisbon or Cologne.

<sup>2</sup> Full report of 4 April 1542, N.B., VOL. I, PT vii, pp. 136 ff., in part already in C.T., VOL. IV, p. 221, n.1.

<sup>3</sup> C.T., VOL. IV, pp. 226-31.

he summons all bishops, abbots and other prelates entitled to be present to come to Trent for the opening on 1 November. He further invites the Emperor, the King of France and other princes to take part in the assembly either in person or at least through their representatives.

Long before the publication and even before the drafting of the Bull, diplomacy had been at work with a view to securing a proper representation at the Council. The Emperor had signified his assent, at least in principle, as early as the summer of 1541. In February 1542 Poggio, the nuncio at the imperial court, was instructed to announce that the Pope would hold the Council at all costs—*ad ogni modo*. At that date there was still talk of one of the four cities, Mantua, Ferrara, Piacenza, Bologna, as possible localities for the gathering.<sup>1</sup> The decision taken not long afterwards in favour of Trent was undoubtedly inspired by a desire to meet the Emperor's wishes. Poggio pointed out<sup>2</sup> that though the promotions to the cardinalate of 2 June might not have satisfied the Emperor's wish for a strengthening of the imperial element, it had enriched the Sacred College by the addition of men who would render outstanding service in the course of the Council—men like Morone, Cortese, Badia, all of them members of Contarini's reform circle, and the canonist Crescenzo. The first and the last of the above trio were eventually destined to preside over the Council. On 10 July 1542 Farnese entrusted Luigi Lippomani, who was going to Portugal as nuncio, with an authentic copy of the Bull of Convocation which he was to hand to Poggio. The latter had three hundred copies printed for distribution to the Spanish bishops. All was to no purpose, for on that same day, 10 July 1542, Francis I declared war against the Emperor.<sup>3</sup>

The declaration of war was the last link in the long chain of attempts, conspiracies and incidents engineered by the French during the preceding six months in the Netherlands and in Lorraine, in Piedmont and at Milan and even in the territory of Venice. Relying on his splendid armaments and on his alliance with the Porte, the King of France meant to settle accounts once for all with his old opponent. He immediately took the offensive in the Netherlands and on the Spanish frontier. A combined grand attack from west and east, with the co-operation of the Turkish fleet in the western basin of the

<sup>1</sup> *Ibid.*, p. 216 f. (5 February 1542).

<sup>2</sup> Farnese to Poggio on 4 June 1542, *C.T.*, vol. IV, p. 231 f.

<sup>3</sup> Cardauns, *Nizza*, pp. 203-38, supplies the fullest account of the negotiations and the incidents that preceded the war as well as of the course of the campaign in the Netherlands and before Perpignan.

Mediterranean, was planned for the spring of 1543. All the Pope's efforts to prevent the outbreak of war had been in vain. In a period of six months Giovanni Ricci, the Farnesi's confidential agent, had travelled no less than four times to and fro between Rome and the imperial and the French courts with proposals for a settlement which were never either directly rejected or acted upon.<sup>1</sup> As at the time of the Mantuan convocation, so now the clash of arms drowned the call to the Council. Now, as then, the Pope remained neutral in the contest between the two great powers.

In his famous address to the Roman consistory in 1536 the Emperor had sought to persuade the Pope to abandon neutrality and to side with him. On 25 August 1542 he appealed to him once more for the same purpose in an impassioned letter.<sup>2</sup> He drew up a veritable catalogue of Francis I's crimes, reproached him for his understanding with the Turks and accused him of continual sabotage of the Council from selfish motives. If the calamities and the division of Christendom, for which King Francis was responsible, touched the Pope's heart, he must declare himself openly against the French King. Only victory over the disturber of the peace jointly won by Pope and Emperor would make it possible to hold a Council and to restore the unity of the Church. For the duration of the war it would not be possible to send delegates to the Council either from the Empire or from the hereditary states.

The letter was a flat rejection of the invitation to the Council and, what was worse, it called in question the Pope's sincerity with regard to it. Was the convocation at this moment really more than a gesture? Was it not evident that once hostilities had broken out an assembly of this kind could not be held?

The Emperor overlooked the fact that the Bull of Convocation had been drawn up with full knowledge of the existing tension but previous to the declaration of war. It did not conceal the difficulties that would be encountered and it was fully aware of the boldness of a venture undertaken under pressure of the gravest motives. But in Charles's eyes it was not a venture but a feint. In papal neutrality, which put

<sup>1</sup> Summary account by Ricci in Vat. Arch., Arm. 64, VOL. 32, fol. 184<sup>r</sup>-189<sup>r</sup>, cop., does not mention the Council, but his despatch of 15 June 1542, Vat. Arch., lettere di Principi, 12, fol. 334<sup>r</sup>, shows that he apologised to Francis I for the choice of Trent. He was told "che là non seria mai per venire".

<sup>2</sup> C.T., VOL. IV, pp. 238-45, with the date 25 August; the section referring to the Council on p. 244. Cf. also Charles V's observations in the *Memoirs*, Morel-Fatio, *Historiographie de Charles-Quint*, p. 255. According to Brandi the draft is at Vienna, *Quellen*, p. 327.

him on a level with the aggressor, he saw an enormous injustice against which he protested with passionate vehemence.

The imperial ambassador Count Aguilar was not the only one to criticise the policy of neutrality. The shrewd envoy of Cosimo of Florence, Averardo Serristori, represented to the Pope in the best Macchiavellian tradition that he only stood to lose by his neutrality.<sup>1</sup> He would be in the hands of whichever party won a decisive victory and if the war ended in a stalemate the Turk would become the master of a weakened Christendom. The Pope's place was therefore by the side of the prospective victor—and this was none other than the Emperor! "You are right," Paul replied, "it is as in the days of Caesar and Pompey. Lorenzo the Magnificent once said: 'Better a wise enemy than a foolish friend.'"<sup>2</sup> The Pope nevertheless hesitated to side with his shrewd but too powerful enemy—for he had come to regard Charles V more and more as an enemy. Apart from all other considerations, his fear of a French schism was only too well founded. He stayed neutral.

The Emperor's resentment knew no bounds. When towards the end of September the Portuguese Cardinal Silva presented himself at court to offer his mediation for peace and to urge the Emperor to attend the Council he met with an exceedingly cold reception.<sup>3</sup> The legate was told to present his proposals in writing and, having done so, to return at once whence he had come. The two ministers Granvella and Cobos created a veritable scene. However, Silva refused to withdraw without the Pope's leave and by his prudent and firm attitude he eventually induced even the Emperor to adopt a milder tone though without in any way abandoning his standpoint. Charles V deprecated any mediation for peace and assumed full responsibility for whatever was to come. Neither he himself nor any envoy or bishop of his took the road to Trent.<sup>3</sup>

In France the cause of the Council fared no better—in fact it fared

<sup>1</sup> Serristori, 12 June 1542, G. Canestrini, *Legazioni di A. Serristori* (Florence 1853), pp. 124 ff.

<sup>2</sup> Briefs of 26 August 1542, Lanz, *Correspondenz*, VOL. II, p. 357; Silva's final report, Vat. Arch., Arm. 64, VOL. 32, fols. 7<sup>r</sup>-10<sup>r</sup>. The Emperor's reply, 29 September, Latin text in Lanz, *Correspondenz*, VOL. II, pp. 378-81, with wrong date—the right date is given in the French text in Weiss, *Papiers*, VOL. II, pp. 645-9. Extracts from Poggio's report in *N.B.*, VOL. I, PT VII, pp. 439 ff.; Cardauns, *Nizza*, pp. 272 ff.; de Castro, *Portugal*, VOL. I, pp. 418 ff.

<sup>3</sup> In Silva's report the following passage is not quite clear: "In Monzone parlai anchora del concilio. S.M.ta si rimesse e quello che havea risposto, poi con la venuta di Granvella mutò consiglio et si fece quello che V. S.R.ma sa", Silva's reports, Vat. Arch., Principi 12, fols. 44<sup>r</sup>-63<sup>v</sup>.

much worse. While the Diet of Ratisbon was still in session Paul III had despatched to that country, in the capacity of nuncio, a man of his immediate entourage, the Datary Jerome Capodiferro. And lest the French court should grow suspicious, as well as for the purpose of keeping in close touch with it, he accredited his secretary Dandino as envoy extraordinary to Francis I immediately after the conclusion of the conference of Lucca. After Granvella's departure in the last days of November, Ardinghello, Capodiferro's successor in the Dataria, was despatched to Paris in a similar capacity. However, neither of them succeeded in preventing either France's approaches to the Porte or the outbreak of war.<sup>1</sup> On the question of the Council Francis I stuck to his old tactics: he refrained from a categorical refusal while crossing by devious devices the measures that would bring it about. Thus he agreed to Cambrai or Metz, on condition that peace was first restored. None knew better than he that the two things were illusory.<sup>2</sup> He also saw to it that French cardinals did not obey the papal summons to Rome.<sup>3</sup>

In May 1542 Capodiferro sought to make the selection of Trent acceptable to the King by pointing out that such a choice in no way met the real wishes of the Germans, that it was a compromise with which the French might very well be satisfied. In any case they could get to Trent through the neutral territories of Switzerland and Venice. On 17 May 1542 Francis I nevertheless rejected Trent, though he wrapped his refusal in the customary formula that he agreed in principle.<sup>4</sup> Farnese's attempt to treat this answer as susceptible of a constructive and even a favourable interpretation was quite hopeless.<sup>5</sup> Capodiferro felt it incumbent on him to shatter this delusion in ruthless fashion.<sup>6</sup> To this end he once more approached the King, very tactfully and not in person but through his secretary, with a request for a favourable decision. The King bluntly refused to send a representative to the

<sup>1</sup> Capodiferro's original reports for 1541-3 in Vat. Arch., AA 1-XVIII, 6532, fols. 1-180. On 27 December 1541 he observes: "Non volendo rompere", we must proceed with the policy hitherto pursued in spite of all disappointments, *ibid.*, fol. 71.

<sup>2</sup> *C.T.*, VOL. IV, p. 222 (17 April 1542).

<sup>3</sup> *Ibid.*, p. 215 f., the almost identical briefs of 17 December 1541; *ibid.*, p. 212 f., Sadoletto's excuses from Carpentras dated 3 January 1542 for his inability to comply with the summons to Rome "a causa del concilio" that had reached him the day before, by reason of his age, the season of the year and his lack of money, A. Ronchini, "Lettere del Card. J. Sadoletto e di Paolo suo nipote", in *Atti e memorie delle R.Dep. di storia patria modenese e parmense*, VI (1872), p. 89.

<sup>4</sup> Farnese to Capodiferro, 28 and 29 April 1542, *C.T.*, VOL. IV, pp. 222 ff.

<sup>5</sup> Farnese to Capodiferro, 4 June 1542, *ibid.*, p. 232.

<sup>6</sup> Capodiferro's report, 24 July 1542, *ibid.*, p. 233.

Council on the plea that it was nothing but a one-sided action in favour of the Emperor. He also refused to permit the publication of the Bull of Convocation. The secretary asked him at least to tolerate it. Thereupon the King flew into a rage and told him not to bother him with the affair. Sadoletto, who was despatched to Montpellier in September as a peace legate, did not even venture to broach the question of the Council at the audiences of 2 and 4 October.<sup>1</sup> In view of the attitude of the two great powers it was of small consequence that Portugal authorised the nuncio Lippomani to communicate the Bull of Convocation to the bishops of that country,<sup>2</sup> that its publication met with no difficulties in Hungary and in Poland, and that the Catholic Estates of the Empire promised to send representatives to the Council.

With a view to gratifying German national sentiment the task of delivering the Bull was entrusted to the youthful Otto Truchsess of Waldburg, son of William Truchsess, a man highly esteemed for his Catholic sentiments.<sup>3</sup> Educated in Italy, where he had made friends with Madruzzo, the future Bishop of Trent, Otto was destined, even in a larger measure than Madruzzo, to become the instrument and right hand of papal policy in Germany and the promoter of the Catholic effort for reform during the ensuing decades, first as Bishop of Augsburg in succession to Bishop Stadion and finally as a cardinal (1544). On 13 August 1542, in company with the nuncio Verallo, he presented himself before the Diet assembled at Nuremberg. The Bull was read, and though the Protestants withdrew immediately and even the majority

<sup>1</sup> Brief of 17 August 1542, Raynald, *Annales*, a. 1542, No. 27; Sadoletto's reports of 7 September to 30 November 1542 in Vat. Arch., Germania, 59, fols. 279<sup>r</sup>-310<sup>r</sup>, cop.; Cardauns, *Nizza*, p. 268 f. On 27 October Sadoletto writes: "Non vorrei mescolare altre proposte con quella (della pace) che non fussero grate al Re, come questa del concilio" (fol. 295<sup>v</sup>). Further correspondence of Sadoletto during the period of the legation in Ronchini, in *Atti e memorie . . . modenese e parmense*, VI (1872), pp. 92-107.

<sup>2</sup> Brief of 21 May 1542 for Lippomani in *C.T.*, vol. IV, p. 225. Lippomani was told to persuade the King of Portugal to get his theologians to study the controverted doctrines. However, in view of the fact that the nuncio was not *persona grata* at the Portuguese court on account of his friendship with Silva, he was recalled in the autumn on the plea that he was wanted at the Council.

<sup>3</sup> F. Siebert's biography of Otto, the printing of which had been completed in 1944, was destroyed by fire except for a very few copies. So for the time being we depend on Siebert's article in *L.Th.K.*, vol. x, pp. 723 ff., and on the preparatory work of B. Duhr in *H.ſ.*, VII (1886), pp. 177-209, 369-91; XX (1899), pp. 71-4. B. Schwarz's work *Otto Truchsess* (Hildesheim 1932), Tübingen phil dissertation (Hildesheim 1923), only goes as far as the year 1543. Further literature in Schottenloher, Nos. 29199-223. Otto's reports of the year 1542 in *N.B.*, vol. I, pt vii, pp. 566-79. The decree granting him the revenues of his deanery of Trent and his canonry of Speyer for the duration of his mission is in *C.T.*, vol. IV, p. 234.

of the Catholics made no secret of the fact that they doubted whether the assembly would ever materialise, the orthodox Estates gave their adhesion on 17 August.<sup>1</sup> Verallo expressed the hope that the new Diet which was to be held at Nuremberg in November would not prevent the prelates from putting in a personal appearance at Trent, or at least from sending their representatives. But if this time also the Council was to be transferred, suspended or prevented, no one would believe any longer that the Pope was in earnest about it.<sup>2</sup> In view of such a state of mind Protestant propaganda against the Council had an easy task. The German bishops could allege a number of excuses for their refusal to attend the Council, such as war, the wintry season, the inconveniences of the locality. "Though one or more Germans may have shown themselves at Vicenza," they roundly declared, "not one of them would go to Trent." For the prince-bishops, above all for the sceptical Stadion, the recent expulsion of the Catholic Duke Henry of Brunswick by the Protestants provided a particularly strong motive for not leaving their dioceses. On the other hand Wauchope found the Bishops of Ratisbon and Eichstätt and even the Archbishop of Salzburg prepared to attend the Council provided the Pope took steps to open it and to take a personal part in it.<sup>3</sup> King Ferdinand habitually followed the political line of his brother and accordingly urged the Pope to abandon his neutrality,<sup>4</sup> but he accepted the invitation to the Council in spite of his misgivings about the final issue of the undertaking. On 21 September<sup>5</sup> he informed the Pope that owing to the pressure of the Turks he was unable to repair to Trent in person but that he would have himself represented by trusty legates and in other respects also would not fail to do his duty. As a matter of fact the King invited his advisers to draw up a list of the various measures by which he could

<sup>1</sup> Verallo and Truchsess report (*N.B.*, VOL. I, PT vii, pp. 243 ff., 566 ff.) that after leaving the hall where the session had taken place the Protestants derisively exclaimed: "What a Council!" On account of the French war and the campaign against the Turks, as well as by reason of the feud in Brunswick, the Catholics reckoned even at this time with a prorogation of the Council. The nuncio's proposition and the reply of the Estates in *C.T.*, VOL. IV, pp. 234-8.

<sup>2</sup> On 18 August Verallo wrote: "Io vedo certissimamente che se per caso N. S. prorogasse, o sospendesse, o facesse qualche atto che s'impedisce di farsi questa volta el concilio, che la religione in Germania sarebbe in tutto perduta, et quelli Catholici che vi sonno, veniranno in una tal diffidenza di S. S.tà et di quella santa sede che non crederanno mai più", *N.B.*, VOL. I, PT vii, p. 245. Truchsess expresses a similar opinion, *ibid.*, p. 568.

<sup>3</sup> Wauchope to Cervini, 1 October 1542, *C.T.*, VOL. IV, pp. 248 ff.

<sup>4</sup> *N.B.*, VOL. I, PT vii, pp. 231, 242, 278 ff.

<sup>5</sup> Ferdinand's observations to Morone, *H.ſ.*, IV (1883), pp. 625; *N.B.*, VOL. I, PT vii, p. 125; to Verallo, *ibid.*, pp. 154, 198.



further the cause of the Council.<sup>1</sup> Among various proposals we find the following:—diplomatic steps to assure the food-supply from Ferrara, Mantua, Milan and Bavaria; a safe-conduct and exemption from toll for members of the Council; the appointment of a prince of the Empire—perhaps one of the Bavarian dukes—as the Emperor's personal representative at the Council; the enrolment of a conciliar guard; lastly, a declaration that the Diet fixed for 14 November would not stand in the way of the bishops' attendance at the Council.

In the course of the autumn Verallo and Truchsess completed their mission. At the beginning of September the former despatched the conciliar Bull and personal briefs to the Archbishop of Gran and his suffragans<sup>2</sup> while Truchsess distributed these documents to the prelates of Swabia and the Rhineland. This done, he set out for Poland. At Cracow, on 15 October, he presented the invitation to the Council to the King and to the Archbishop of Gnesen. The latter promised to publish it at the forthcoming provincial Council and either to appear at the Council in person or to send learned representatives.<sup>3</sup> However, in this instance also words were one thing, deeds another. The Hungarians pleaded the Turkish war as an excuse. As for the Poles, Truchsess thought that at most only one or two would send representatives; probably not one of them would attend in person. Towards the end of December Ferdinand I yielded to Verallo's repeated representations that he should bring pressure to bear on the bishops of the hereditary states, but even his most earnest efforts were unable to dispel the ever-growing doubts of the success of the conciliar convocation. Clement VII's reluctance to hold a Council and the failure of Vicenza cast their shadow over the latest convocation.<sup>4</sup>

The negative or at least hesitating attitude of the powers did not prevent the Pope from taking a number of measures in preparation for the actual opening of the Council. On 18 September the Bishop of Verona and Bishop Tommaso Sanfelice of La Cava were named com-

<sup>1</sup> Ferdinand's letter to Paul III dated 21 September 1542 (*C.T.*, VOL. IV, p. 248) is the answer to the brief of 29 July (*C.T.*, VOL. IV, p. 233 f.). Cf. also Verallo's report of 11 August, *N.B.*, VOL. I, PT VII, p. 241 f. The very cautious *Consultatio* of the royal councillors on 13 October in *C.T.*, VOL. IV, p. 257 f.

<sup>2</sup> *N.B.*, VOL. I, PT VII, p. 253 (10 September). Verallo personally handed the documents to the Bishop of Colocs.

<sup>3</sup> *C.T.*, VOL. IV, pp. 259 ff., 279 ff., also Theiner, *Mon. Pol.*, VOL. II, p. 541 f.; *N.B.*, VOL. I, PT VII, pp. 257, 570 ff., for the adhesion of the Bishop of Olmütz dated 16 November; Truchsess had called on him on his return journey, *C.T.*, VOL. IV, p. 280, *n.i.*

<sup>4</sup> *N.B.*, VOL. I, PT VII, pp. 263, 269, 285, 292 ff., 296 f.

missaries of the Council. Their task was to make immediate preparations for the reception of the prelates at Trent. Orlando Ricci, who until then had held the post of inspector of the fortresses of the Papal States, was adjoined to them in the capacity of billeting officer.<sup>1</sup> Sanfelice reached Trent on 5 October, but as the Prince-Bishop was absent he was forced to await his return before he could enter upon his task.<sup>2</sup> Madruzzo showed himself most helpful. It was agreed that separate accommodation should be assigned to each nation; the suites were to be billeted, at least in part, in the neighbouring localities. The Bishop's residence of Castel del Buon Consiglio was provisionally reserved for the Pope's accommodation. Such was the magnificence of that palace that when Ricci saw it he exclaimed: "There is nothing like it in the whole world! By comparison with it the Vatican is only a shop-keeper's dwelling!" A number of topics were discussed, such as the guard of the Council which was to consist of from 200 to 300 men, if the Pope did not attend in person, but if he should come in person their number would be increased. A fixed price for provisions and animal fodder was agreed upon and arrangements were made for getting supplies from Lombardy, the Romagna and Bavaria. A regular postal service between Rome and Trent was to be assured and an information bureau on events in Germany set up. The conciliar commissary forwarded plans of the city, the cathedral and the episcopal palace to Rome. By reason of its completeness his detailed list of the accommodation at Trent, which was drawn up with the assistance of a local committee, was far superior to the arrangements made for the Council of Vicenza.

A census of the male population of the diocese showed that the number of men able to bear arms and who might be called up for the defence of the Council reached the remarkable total of 13,211. In order to prevent a rise in the price of provisions, on which Sanfelice had also sent a brief report, their export was prohibited. Enterprising tradesmen were soon on the scene with their offers. When the prohibition of the export of grain from Venetian territory began to force up prices, King Ferdinand's counsel examined ways and means for obtaining from the Signoria a free transit over the main supply-routes, viz. the Val Sugana, the defile of Verona and Lake Garda, for the transport of corn from the States of the Church and the duchies of

<sup>1</sup> The briefs of 18 September 1542 in *C.T.*, vol. IV, p. 246. Giberti was unable to execute the commission on account of his having been cited to Venice on a charge of high treason. He was only set at liberty on 17 November, *ibid.*, p. 251, n.5.

<sup>2</sup> What follows is based on Sanfelice's reports of 6, 9, 13, 19 and 25 October, *ibid.*, pp. 251-68.

Ferrara, Mantua and Milan. The possibility of obtaining corn and fodder from Bavaria and cattle from Hungary was also examined.

Preparations for the reception of the prelates were thus in full swing at Trent. But while the conciliar commissary did his best to convince the doubtful ones by deeds, Rome remained silent. October was drawing to a close; within a week the Council should be opened; yet not a word of encouragement from Rome; no Italian bishop to be seen, above all no legate! In the preliminary negotiations the Pope's presence at the Council had been taken for granted, but the pontiff made no move to transfer his residence to the neighbourhood of the place of assembly—to Bologna.<sup>1</sup> On the contrary, on 14 October, he asked the cardinals whether in view of the obstacles that had arisen in the meantime it was practicable to appoint a legate. He only made up his mind to do so after an affirmative reply had been given in the next consistory.<sup>2</sup>

On 16 October three legates were appointed. This time also the senior in rank was a jurist, Pierpaolo Parisio, a brilliant professor of civil law at Padua and later on, until his elevation to the cardinalate in 1539, an auditor of the Apostolic Camera.<sup>3</sup> In the world of high politics his name was practically unknown. In that sphere the leading role was undoubtedly reserved for Morone, who could be regarded as an expert on the German schism in the same way as Aleander on a former occasion. Cardinal Pole represented the nations beyond the Alps and the reform movement. None of them ranked among the well-tried leading figures of the Sacred College or among the Pope's intimates. It was therefore all the more surprising that on their departure from Rome on 26, 27 and 28 October, the pontiff, instead of uniform written instructions, merely handed them three memorials

<sup>1</sup> On 6 November 1542 the Pope mentioned this plan for the first time in consistory, *C.T.*, VOL. IV, p. 247, *n.2*, but without making any arrangements for his departure though he had warned the governor of the Marches as early as 18 October to see to the collecting of the taxes in view of the additional expenditure that would arise from his journey, *ibid.*, p. 276, *n.4*.

<sup>2</sup> *Ibid.*, p. 261 f., and Sernini's report in Pastor, VOL. V, p. 849: Eng. edn., VOL. XII, p. 665.

<sup>3</sup> For Parisio see, in addition to Ciaconius, *Vitae et res gestae*, VOL. III, p. 667, Cardella, *Memorie storiche de' Cardinali*, VOL. IV, p. 224. f. For the list of his law writings, cf. Schulte, *Quellen*, VOL. III, p. 444; Katterbach, *Referendarii*, pp. 91, 101. Giovio, *Historia sui temporis*, VOL. XLII (Venice edn. 1553, VOL. II, ii, p. 418), describes him as "divini ac humani iuris professione insignis". In this and in the next chapter the biographical literature is only given in the case of those personalities which we shall not meet again in the course of the Council; for the others this will be found in subsequent volumes.

drawn up by the canonists Del Monte, Guidiccioni and Tommaso Campeggio.<sup>1</sup>

The memorials of the two cardinals contain more or less important suggestions of a general character. Del Monte kept closest to the traditional style of papal instructions. His worst anxiety was lest the legates should open the Council prematurely and without the Pope's leave or allow themselves to be drawn into negotiations with the Protestants. Guidiccioni was even more anxious to steady them against all attempts to introduce innovations in the sphere of faith and worship or to discuss anew former conciliar decisions; above all the reform of the Roman Curia was to be strictly kept out of any discussion. We know Guidiccioni's conception of such a reform.

Campeggio alone put the burning question—and that with disconcerting frankness: "Does the Pope really wish to hold the Council, or does he not?" Uncertain as he was himself about the ultimate intentions of his master, he reckoned with both possibilities. If there was a serious intention to hold the Council, and if there was a desire to further it actively, then a week after their arrival at Trent the legates should convene the local clergy in the cathedral in order to explain to them the object of their mission. If, as was to be expected, only a small number of foreign prelates arrived in the course of the ensuing months, a public protest against their remissness should be made before another assembly of the clergy and a time-limit of three months fixed within which the prelates must put in an appearance. Meanwhile some six or eight cardinals and between twenty and twenty-five bishops should be sent to Trent from Rome, to be joined by the bishops of the neighbourhood of Trent. The universities should be pressed to send their representatives; indigent prelates and scholars should be given financial assistance and an official invitation to attend the Council should be addressed to the dissidents, such as the Hussites, the Swiss, the northern kings and the King of England. His study of the history of the Councils had convinced Campeggio of the importance of an inviolable safe-conduct. Nor did he overlook such practical matters as the Council's exemption from taxation, its jurisdiction over its own members, the accommodation of so many persons and, lastly, the price of commodities.

However, these proposals would be meaningless if there were no real intention to hold a Council. If the only aim was to save appearances

<sup>1</sup> *C.T.*, VOL. IV, pp. 267-75; the last piece is also in Döllinger, *Beiträge*, VOL. III, pp. 304-09.

while another solution at some future date was being sought, the holding of a Council being judged impossible, or if there was no clear decision as to what should be done, then the proposed measures need not be given a moment's thought. In that case it would be enough if the legates repaired to Trent and there waited for the arrival of the prelates. They should be on guard against some rash individual declaring the Council open against their will, or actually inaugurating it. To prevent such an occurrence it might be advisable to draw up a secret protestation, previous to their solemn entry into the conciliar city, to the effect that their entry did not by itself constitute a conciliar act and that the assembly was only to be regarded as inaugurated after a solemn session had been held.

The "other solution" to which Campeggio alludes is precisely the one which the Popes had invariably fallen back upon ever since the Council of Basle as often as they were faced with a demand for a Council,<sup>1</sup> namely an international convention convoked by the Pope and consisting of some two hundred bishops, scholars and delegates. Such an assembly would decide dogmatic controversies, initiate a "reform of the members" and examine all pending questions, but without the legal formalities proper to a General Council. Its role would be an advisory one, for it would depend exclusively on the Pope and its deliberations would be held by his authority. Such a gathering would eliminate by a single stroke all the risks inherent in a General Council, such as the reopening of the question of the superiority of the Council, discussions on procedure, more particularly on the right to vote and the method of voting by nations, and last, but not least, the attacks that would surely be made against the Roman Curia's administrative methods. A convention of this kind could be held in spite of the political tension between the great powers. Of course, the Protestants would not be represented, but neither would they put in an appearance at a General Council, and they could be condemned without such an assembly in the same way as Simon Magus was condemned by the Apostle Peter and the heresies of the early Middle Ages were anathematised by Popes Alexander III, Innocent III and Gregory IX.

<sup>1</sup> Campeggio's tract *Quae timenda sint pericula ex Concilio Tridentino*, C.T., vol. XII, pp. 301-06, in view of the mention of Trent as the locality of the Council, falls not in the year 1541 but in the period between April and July 1542, that is, in the interval between the decision in favour of Trent and the outbreak of war, otherwise Campeggio would hardly have described the relations between Charles V and Francis I in these terms: "nemo est qui nesciat quam male inter se animorum consensione convenient", p. 303, l. 1.

There was no reason to fear that they would convene a national Council; neither the Emperor nor the Catholic princes would ever recognise the decisions of an assembly of that kind. For Campeggio a papal reform convention was like Columbus's trick with the egg—a surprisingly simple solution of the seemingly insoluble question of the Council.

It was necessary to expound Campeggio's arguments at length because they represent, if not the personal thought of the Pope, at least the wishes of influential circles of the Curia. It is matter for surprise that so important an official and so valued a counsellor as Campeggio should not have been clear in his own mind about the Pope's ultimate intentions on the question of the Council, and it is even more surprising that the latter should have done nothing to dispel the prevailing uncertainty. All he actually did was to hand to the legates the memorial of the regent of the Chancery together with the two other instructions. It would be an excess of simplicity were we to shut our eyes to so weighty a fact. We are bound to infer that by the autumn of 1542 Paul III had begun to waver in his resolve to hold the Council in any circumstances. The official version was as before, that he was determined to convoke the Council, and on 1 November Farnese wrote to the conciliar commissary in this sense; "those who doubt will be put to shame", he observed with unwarranted assurance.<sup>1</sup>

Madruzzo and Sanfelice were instructed to welcome such visitors to the Council as arrived previous to the legates' arrival.<sup>2</sup> Poggio, Capodiferro and Verallo made fresh representations at the courts to which they were accredited on the subject of the departure for Trent of the Spanish, French and German bishops. Sadoletto, the peace-legate, worked in the same sense previous to his definitive departure from the French court.<sup>3</sup> In the last days of the year the Swiss were admonished to send representatives to the Council. The invitation was sent not only to the Catholic Cantons but likewise to Protestant Zürich, Basle and Schaffhausen.<sup>4</sup> Twenty cardinals not resident in

<sup>1</sup> *C.T.*, VOL. IV, p. 276, "perchè in ogni evento S.Stà è deliberata".

<sup>2</sup> *Vat. Arch.*, Concilio, 132, fol. 170 f. or (25 October).

<sup>3</sup> Instructions for Poggio, 3 November, *C.T.*, VOL. IV, p. 277; Verallo's report of 10 December, *N.B.*, VOL. I, PT VII, p. 292; cf. pp. 294, 299. The informative report of Capodiferro's secretary dated 10 November, on his conversations with Cardinals Este and Tournon as well as Sadoletto's report of 14 November, are in *C.T.*, VOL. IV, pp. 281-4.

<sup>4</sup> The briefs addressed to Lucerne, Fribourg, Uri, Solothurn and Appenzell under date of 22 December 1542 merely request that "velitis quantum in vobis fuerit ad prosecutionem promotionemque dicti universalis concilii intendere"; those addressed to the Protestants on 23 December contain the demand "vestros mittere non differatis", *C.T.*, VOL. IV, p. 295 f.

Rome received a fresh summons to repair thither. In briefs dated 16 October and couched in almost identical terms they were told that no one could hold himself excused now that the date for the opening had arrived.<sup>1</sup>

All these appeals of the Pope died away on the empty air. One-half of the non-Roman cardinals were Frenchmen; these either took cover behind their King or pleaded sickness. Farnese instructed the nuncio to inform the Emperor that the Pope would not object to his retaining in the country the only two cardinals then in Spain, viz. those of Toledo and Seville.<sup>2</sup> When the three legates made their solemn entry into Trent on 21 November 1542 there was not a single bishop there apart from Madruzzo and Sanfelice.<sup>3</sup> The reports of the dean of the chapter of Salzburg, Ambrose von Lamberg, who had gone to Trent by order of his Archbishop for the purpose of seeking information, were not encouraging: Trent was empty. It was natural enough that the Archbishop of Salzburg and the other German bishops who had sent messengers to Trent<sup>4</sup> were not prepared to undertake the journey themselves before the presence of Italian bishops held out a solid prospect that the assembly would really take place. So long as none of these was to be seen at Trent, all the earnestness of the conciliar commissary failed to convince the hesitating.<sup>5</sup> The commissary was negotiating with the civic authorities to secure a lowering of the standard rent they had fixed for every kind of accommodation. In this effort he was actively supported by Madruzzo. The latter scarcely disguised his disappointment that the legates had not brought him the red biretta, especially as a report had long ago seeped through to the public and had even reached Germany that he was one of the two cardinals reserved *in petto* at the last creation by the Pope.

This all too peaceful idyll was rudely shattered by the arrival on 7 January 1543, without previous warning, of a pompous imperial embassy composed of Granvella, his son the Bishop of Arras, and Diego Hurtado de Mendoza, the imperial ambassador at Venice. The legates had of course heard rumours of their impending arrival; they

<sup>1</sup> *C.T.*, VOL. IV, p. 262.

<sup>2</sup> *Ibid.*, p. 277, n.4, Lenoncourt's and Gaddi's excuses.

<sup>3</sup> *Ibid.*, p. 286 f., the first report of the legates from Trent, 24 November 1542.

<sup>4</sup> *Ibid.*, pp. 284, 287 f. The list of envoys from Germany given in the legates' report of 24 November has been lost, but it certainly included Ewald Kreutznacher, the Bishop of Würzburg's secretary, *ibid.*, p. 299, n.3.

<sup>5</sup> *Ibid.*, pp. 290-3, Sanfelice's report of 30 November and 6, 9, 15 December. Pole's suite included the exiled Bishop of Worcester, Richard Pate, *ibid.*, p. 303, n.3.

imagined, however, that Granvella would only be passing through Trent on his way to the Diet of Nuremberg; they had no inkling that these three and Aguilar, the imperial ambassador in Rome, had been named envoys to the Council as early as 18 October.<sup>1</sup> In Rome, too, nothing was known of Granvella's mission; Thomas de Chantonnay, Granvella's other son, had not breathed a word of it in the course of a visit of courtesy he had paid the Pope on 24 December.<sup>2</sup> Parisio and Morone were thunderstruck when on the evening of his arrival Granvella informed them, with all due formality, that he had come as the Emperor's representative at the Council. To Pole he expressed his surprise that, contrary to His Majesty's expectations, the preparations were not being pushed more actively.<sup>3</sup> Yet the Emperor had let it be clearly known in the course of the summer that he regarded the Council as inopportune!

From a purely political point of view Granvella's arrival at Trent was a master-stroke.<sup>4</sup> By this sudden show of zeal for the Council the Emperor stole a march not only on his opponent Francis I but even on the Pope himself: this act of his would help to fix responsibilities! Paul III felt cheated and compromised; he was made to look as if his convocation of the Council were a mere gesture for the purpose of exculpating himself in the eyes of the public. The legates only saw

<sup>1</sup> *Ibid.*, p. 263 f.

<sup>2</sup> Aguilar to the Emperor, 4 January 1543, *Cal. of St. Pap., Spain*, VOL. VI, II, p. 200 (No. 93).

<sup>3</sup> The legates' report of 9 January (*C.T.*, VOL. IV, pp. 297-300) makes it clear that Granvella must have arrived at Trent not on the 8th, as might appear from the introductory remarks and from other reports, but on the evening of the 7th. Sanfelice was sent to call on Granvella on the 8th, after which the latter presented himself before the legates when the ceremonial of the audience was discussed. This took place in the forenoon of the 9th (*ibid.*, pp. 300-3). In the notaries' instrument drawn up on the occasion the following names appear among the witnesses: Count Sigismund Arco, Niccolò and Aliprando Madruzzo, Francesco di Castelalto, Sigismund von Thun. I was unfortunately unable to see Granvella's letter to Aguilar dated 14 January (St. Arch., Vienna, Belgica A 49) which Cardauns, *Nizza*, p. 279, was able to study.

<sup>4</sup> At the meeting with Ercole Gonzaga, Granvella stated the purpose of his mission in these terms: "Che la ragione perchè va nella Magna principalmente è perchè il Papa secondo ch'a inteso S.M.ta s'è sforzato mostrar di là per chè lei (viz. the Emperor) et non per lui (viz. the Pope) si resta di far il concilio, et perciò lo manda con l'occasione della dieta di Norimberga per chiarir ognuno che non manca dall' Imperatore che l'concilio non si faccia, et così se n'andrà a Trento et intendera se son comparsi i procuratori di Francia et d'altri potentati christiani. Et quando non ve ne truovi alcuno, se ne passera più oltra alla dieta", Ercole Gonzaga to Ferrante, 6 January 1543, Vat. Lib., Barb. lat. 5791, fols. 94<sup>v</sup>-95<sup>r</sup>, cop. Hence Granvella's question to the legates, "se tutte le nationi havevano accettato di venir a questo concilio", *C.T.*, VOL. IV, p. 298, l. 23.



through the manœuvre on the following day when Granvella came out with a demand for a solemn public audience in the cathedral. An audience marked by so much solemnity might very well be construed as a conciliar act—as a *de facto* opening of the Council. In accordance with their instructions the legates unhesitatingly rejected the demand though they declared themselves willing to receive the envoys with the customary ceremonial and to draw up a duly authenticated document on the subject. Granvella was furious and threatened to lodge a protest while the legates maintained their standpoint that in no circumstances would the audience take place in the cathedral. Thereupon the imperialists gave way. On the morning of 9 January, accompanied by a large suite, they presented themselves before the legates at Parisio's palace. After an address by the Bishop of Arras they presented their credentials and excused the absence of the Spanish bishops on the plea that the French rendered the roads and the sea unsafe. In the course of the conversation which followed the audience the envoys announced that during the night a courier had brought King Ferdinand's credentials for Madruzzo. This made it quite clear that the King of the Romans made common cause with his brother.

In the course of the negotiations which were resumed on 10 January Granvella did his utmost to weaken the strongest objection that might be adduced against the Emperor's willingness to further the Council, namely the absence of the Spanish bishops. This was put down to the arrest by the French eighteen months earlier of the Archbishop of Valencia.<sup>1</sup> On the other hand he promised the French prelates, in the Emperor's name, a safe-conduct for their journey to the Council, on condition that they travelled solely in order to attend the assembly and had no other aim in view. He roundly declared that at the imperial court no one believed that the Pope really wanted a Council; if he did, he would be much more concerned to reform the Curia and would not tolerate a state of things that was bound to give rise to painful discussions at the Council. Parisio and Pole vainly sought to weaken this argument by pointing to the reforms actually in progress at the Curia. On the other hand Granvella's fresh attack on the Pope's policy of neutrality failed to impress the legates.

On 11 January Granvella left Trent together with his sons for Nuremberg, for which he was actually bound. As for the legates, they

<sup>1</sup> On these reprisals by Francis I for the assassination of the envoys at Pavia and on the Pope's efforts for the release of the Archbishop, see Ehses, *C.T.*, VOL. IV, p. 208, n.1.

were no longer in any uncertainty about the purpose of this diplomatic stroke and they feared even worse for the future.<sup>1</sup> The time-limit of eighteen months for the meeting of the Council which had been agreed upon at the Diet of Ratisbon of the year 1541 had now been reached. There was reason to fear that in the hope of buying the help of the Lutherans against the Turks and the French Granvella would present himself before the Diet of Nuremberg with a statement in something like the following terms: "I have personally ascertained that the Council has not been opened and that there is no prospect of its beginning within a measurable time. That this should be so is no fault of the Emperor's. Nor has the reform of the Church, which he demands, and which was promised at Lucca, been carried out. The Emperor accordingly feels obliged to allow the holding of the national Council promised by him in precisely such an eventuality and to give his assent to the Protestant demands, namely, freedom to preach, Communion in both kinds, the marriage of priests, the 'reform' of the imperial dioceses and the admission of Protestant judges to the supreme court of judicature." The legates were of opinion that Rome was faced with two alternatives—either to hold the Council or to lose Germany altogether. In their view the only means of averting imminent disaster were the following: first of all stern measures should be taken to compel the bishops to attend the Council, those of Italy to begin with, and then those of Germany, France and Spain; secondly, a nuncio extraordinary should be sent to Nuremberg to prevent the developments referred to above. The first of these proposals was already being complied with in Rome, at least in part, no doubt in consequence of Sanfelice's and Verallo's earlier reports, for before his departure from Rome for the Farnese estates on 10 January the Pope had ordered a number of bishops to betake themselves to Trent.<sup>2</sup> However, not one of them seems to have made a start, on the plea that no subsidy was forthcoming to assist the indigent. Cervini and Dandino personally pressed the prelates residing in Rome to set out for Trent; the latter was actually drafting briefs for those outside Rome, but the matter was only seriously pressed in February after the Pope's return to the eternal city.

The pontiff was exceedingly worried.<sup>3</sup> Granvella's conduct at Trent and certain military movements in the Kingdom of Naples gave rise in

<sup>1</sup> *Ibid.*, undated report of the legates (12 January 1543), pp. 306 ff.

<sup>2</sup> *Ibid.*, p. 300, n.1; 308 f., Farnese to the legates on 20 and 22 January 1543.

<sup>3</sup> "Mirabilmente teme dell' Imperatore", Cardinal Gonzaga writes to Mendoza, 16 February, Vat. Lib., Barb. lat. 5791, fol. 102".

his mind to an exaggerated suspicion that after his diplomatic stroke the Emperor was busy preparing a military one in order to intimidate him and thus to win him over to his side. The Pope accordingly ordered the defences of the Borgo to be attended to. He also got in touch with Venice and more urgently than ever pressed the bishops to set out for the Council. As a matter of fact a number of prelates complied with his wishes. The bishops of Sardinia were urged by briefs couched in the most pressing terms. The nuncio in Venice admonished the bishops of that territory of their duty. King Sigismund of Poland was reminded of his promise to send envoys and prelates. Otto von Truchsess was despatched on a second mission to Germany with a whole packet of briefs. He was charged to express to the bishops gathered at Nuremberg the Pope's pained surprise at their refusal to set out for Trent, especially as it was for their sake that the Council had been convoked in the first instance. Their example was put forward by the bishops of other countries as an excuse for staying away.<sup>1</sup> Otto's and Verallo's chief task was to prevent the religious question from being put on the agenda, for in that event the danger of the whole of Germany becoming Protestant would have become acute. On 26 February the Pope set out for Bologna. Through the nuncio Poggio he informed the Emperor that he held him to his promise to allow the Spanish bishops to go to Trent. If they did, the Portuguese prelates would not fail to follow their example.

From France nothing was to be expected. Francis I sent word that he stuck to his earlier point of view, that at the moment a Council at Trent was not practicable. He rejected the compromise proposed by Farnese, that he should at least put a few bishops at the Pope's disposal for purposes connected with the Council; he also declined a meeting with the Pope.<sup>2</sup> The Emperor's acceptance of a similar invitation and

<sup>1</sup> The briefs mentioned in the text, the instructions for Truchsess and Poggio and other material in *C.T.*, VOL. IV, pp. 309-17. Admonition to other prelates, e.g. John Magnus, Archbishop of Upsala, *ibid.*, p. 314, n.7.

<sup>2</sup> *Ibid.*, p. 310, n.1; p. 337, l. 40, on the mission of the French agent Siney, who arrived in Rome on 20 February 1543; Aguilar on 28 February, *Cal. of St. Pap., Spain*, VOL. VI, ii, p. 258, No. 108. There is no evidence that by his refusal to send representatives to Trent Francis I met the Pope's secret wishes and that he was in a clandestine agreement with him, as Cardinal Gonzaga suspected at the time (Gonzaga to the Duke of Ferrara, 7 March 1543, Barb. lat. 5791, fol. 109<sup>r</sup>). Even more fantastic was the project ascribed to the Pope by Gonzaga in the event of the non-appearance of the Protestants at Trent, viz. the holding of a sham Council with the French and the Italians in some other locality, "persuadendosi dover haver li prelati di Francia al suo commando et con quelli et questi di qua far tutto quello che prima haveva disegnato, cioè serrar il concilio reformando solamente alcuna cosetta di poco

his readiness to meet the Pope in the course of his journey to Germany by way of northern Italy decided the fate of the Council. The Pope's journey to Bologna was actually connected with the proposed meeting.

While Granvella's flying visit to Trent continued to cause a great stir elsewhere, calm returned to the seat of the Council. On 17 January Mendoza left for Venice though the legate had refused him permission to do so, but his departure was compensated for by the arrival, on 10 and 11 March, of the first Roman prelates, Tommaso Campeggio and Cornelio Musso.<sup>1</sup> They found the city both congested and expensive. In their opinion it was inadvisable to open the Council at Trent since it would eventually have to be transferred to some other locality. The measures suggested by Sanfelice in the autumn for securing food supplies had not been acted upon with the result that the arrival of the first prelates led to an immediate rise in the price of grain, wine and animal fodder. Between the last days of March and the beginning of May the Archbishops of Corfu and Otranto, the Bishops of Belcastro and Melopotamos and the proctors of three German bishops arrived at Trent<sup>2</sup> and 10 May witnessed the arrival of the first German prelate in the person of Valentine von Tetteleben, Bishop of Hildesheim, with his auxiliary the Dominican Balthasar Fanneman. Both these prelates, as well as the jurist and controversialist Konrad Braun and Jodocus Hoetfilter, also a noted writer, were the accredited proctors of Cardinal Albrecht for the three dioceses of Mainz, Magdeburg and Halberstadt. However, the legates refused to recognise the proctors as fully qualified

relievo". But should the Lutherans come "non pensa di lasciarvisi accoglier in alcun modo, ma bene armarsi et sollicitare Francia a tutto suo poter che rompa guerra", that is, that France should prevent the Council by invading Italy, Gonzaga to Vivaldino, 25 February and 1 March 1543, Barb. lat. 5791, fols. 103<sup>r</sup>, 107<sup>v</sup>.

<sup>1</sup> In recommending him to Madruzzo, 18 February 1543 (St. Arch., Trent, Madruzzo 1543 or) Farnese calls the latter, who was Bishop of Bertinoro at the time, "mio molto domestico". Campeggio's report of 15 March, *C.T.*, vol. IV, p. 318 f.

<sup>2</sup> The legates' reports of 20-29 March, 11-16 May, in *C.T.*, vol. IV, pp. 319, 329 ff.; Madruzzo to Farnese, 30 April, *ibid.*, p. 327 f.; *ibid.*, the laudatory brief for Tetteleben dated 2 June, *ibid.*, p. 343. Tetteleben's chief object was to obtain help against Hildesheim, which had turned Protestant, A. Bertram, *Geschichte des Bistums Hildesheim*, vol. II (Hildesheim-Leipzig 1916), pp. 137-43. On Fannemann, whom the legates erroneously describe as "ep. Misnensis" instead of "Mysiensis", see Paulus, *Dominikaner*, pp. 84 ff. Braun, who had resigned his post as chancellor of the supreme imperial court of judicature at Speyer in 1542, from conscientious motives, began at this time his work *De concilio universali*, which he did not complete and which was never published, N. Paulus in *H.ſ.*, XIV (1893), p. 533. One of the three German proctors mentioned was undoubtedly Ewald Kreutzenacher, a canon of the collegiate church of Haug and a native of Würzburg, *C.T.*, vol. IV, p. 342, n.3.

representatives of their superiors for they were anxious to secure the latter's personal presence.

All in all the result of the convocation of the Council was truly pitiful. Seven months after the date fixed for the opening only ten bishops were present at Trent! Exactly ten bishops—an insignificant fraction of the entire hierarchy had complied with the pressing, oft-repeated appeal of the Pope! Nothing throws a more lurid light on the crisis of papal authority—not of course of the primatial authority—than this fact which demands an explanation. It is easy enough to explain it in the case of the episcopate of the already consolidated national states and of those of Italy. In France, by the King's command, the Bull was never published. Not only the bishops of Spain but those of Portugal also waited in vain for their sovereigns' command to set out for the Council. The Italian bishops were unwilling to run into expense before the opening of the Council was assured, while on their part the Swiss and the Germans were waiting for the Italians, though in their case other factors were also at work.

In Switzerland neither Catholics nor Protestants had taken the invitation to the Council seriously. On 15 June 1543 the thirteen Cantons ended by replying to the briefs of invitation presented to them by the papal agent Rosin. They declared that the Council which was to meet at Trent could not be a general one as long as peace was not restored in Christendom. As soon as an undoubted General Council (*uno indubitato generale concilio*) should meet, they would do their duty.<sup>1</sup> This was an open challenge to the oecumenicity of the Council.

In Germany the cause of the Council had been grievously injured by the wide publicity given to the Emperor's letter of rejection of 25 August 1542, of which we have already spoken.<sup>2</sup> People in Germany

<sup>1</sup> Rosin to Farnese, 22 June 1543, C. Wirz, *Akten über die diplomatischen Beziehungen der römischen Kurie zu der Schweiz 1512-53* (Basle 1895), pp. 384 ff. In a letter of 1 May to the Strasbourgers the men of Basle based their hesitation on the fact that no time-limit had been fixed for their appearance at Trent. Very significant too are the negotiations of the Abbot of St Gall with Schwyz and Lucerne, *Eidgenössische Abschiede*, VOL. IV, i (d), pp. 239, 272 f.

<sup>2</sup> On the publication of the imperial letter of 28 August 1542 in Latin, Spanish and German, together with the brief of 12 November (Raynald, *Annales*, a. 1542, No. 31 f.), and the imperial reply of 16 December, see C.T., VOL. IV, p. 294 f. and p. 238, n.5; p. 321, l. 37; N.B., VOL. I, PT vii, pp. 299 f., 314, 340, 573. Schottenloher, Nos. 43207c-08 lists one Latin and three German printed editions. The French answer of 10 March 1543 in Le Plat, VOL. III, pp. 159-94, also found in *Storia italiana* of Melchiorre Cresci published by U. G. Oxilia in *Miscellanea di storia italiana*, III (1907), pp. 153-84, does not take up a decisive position with regard to the accusation that France had sabotaged the Council but contents itself with the assertion that that assembly was nothing more than a means for satisfying Charles V's lust of domination.

were only too ready to regard the convocation of the Council as a mere gesture. If at this moment the Emperor also declared himself unfavourable to such a gathering it was evident that the whole affair was a sham. Could there be a more forcible argument than this dilemma: "If the Pope really meant to hold a Council he would long ago have ordered the Italian bishops to Trent; if the Emperor desired it the Spanish bishops would have put in an appearance?"<sup>1</sup> What guarantee was there that during the absence of the prince-bishops their Protestant neighbours would not carry out a *coup-de-main* against their ecclesiastical territories? The Catholic League offered but a slender protection since it was only loosely knit together and without strength, and the Pope had refused to join it.<sup>2</sup> Bucer's summons to Cologne and the hesitations of the Bishops of Münster and Strasbourg were ominous symptoms that the episcopal front was beginning to crack. The episcopal cities of Ratisbon and Hildesheim had but recently declared themselves in favour of the new teaching. Lutheranism was advancing along the whole line while timidity and passivity paralysed the Catholics. The apostasy of the whole country, so often foretold by Morone, Contarini and other experts, appeared to be only a question of time.

For a while the peril threatening from Germany made the proceedings of the Diet of Nuremberg the centre of interest. Verallo and Truchsess did all they could to convince the hesitant and the doubtful that the papal convocation was made in good earnest and to prevent a development of the religious question along the lines which the legates feared it would take. Thanks to Ferdinand I's intervention, the result was better than could have been expected. True, the Protestants refused to have anything to do with the "papal" Council of Trent, but they no longer insisted on a national one. The Catholics maintained their earlier approval. They declared that since the Pope had met their wishes and suggestions by summoning the Council to Trent, that assembly could not be boycotted under any pretext whatsoever.<sup>3</sup> Truchsess handed to the bishops personally present or to their representatives the briefs of which he was the bearer. On the archbishops he called in person in accordance with his instructions. He got the impression that the German bishops were obviously taking a livelier interest in the cause of the Council. Like the Apostle Thomas they

<sup>1</sup> These ideas are most clearly developed by Verallo on 26 February 1543, *N.B.*, VOL. I, PT vii, p. 317; cf. also pp. 297, 299.

<sup>2</sup> Verallo, 18 February, *N.B.*, VOL. I, PT vii, pp. 310-14, and *passim*, with the documents of pp. 513-50.

<sup>3</sup> *Ibid.*, pp. 317 21, 327, Verallo on 26 February, 1 and 13 March.

felt that at last they had tangible evidence of the Pope's good-will. This revulsion of feeling was no doubt due to the predicament in which they found themselves—either to submit to the Council and its Catholic reform or to allow themselves to be “reformed” by the Protestants.<sup>1</sup>

Truchsess's view of the situation was far too rosy. Before long he was to have experience of the obstacles that stood in the way of German representation at the Council. Bishop Stadion of Augsburg was carried off by sudden death while the Diet was in session.<sup>2</sup> On 10 May the cathedral chapter's choice of a successor fell on Truchsess. Thus it came about that he too found himself prevented from undertaking the journey to Trent by pressing obligations to the cathedral chapter. Most of the other bishops were paralysed by fear or a sense of uncertainty; the mere despatch of proctors by the Archbishops of Mainz and Trier and by the Bishop of Bamberg was a sign of good-will. Bishop Maurice of Eichstätt alone fulfilled his promise to Verallo: on 22 June he arrived at Trent, provided with powers of attorney for his neighbour, the Bishop of Würzburg where he held the post of provost of the cathedral chapter.<sup>3</sup>

<sup>1</sup> Truchsess on 31 March, *C.T.*, VOL. IV, pp. 319-25; 6 and 8 April, *N.B.*, VOL. I, PT VII, pp. 572-9. More critical than Truchsess, Verallo, on 8 April (*N.B.*, VOL. I, PT VII, p. 352), distinguishes between three groups at the Diet: (1) The first group regards the Council as impossible on account of the war and favours a national council or an equivalent imperial gathering; (2) The second group considers the Tridentine convocation as “una pastura et cosa più presto finta che vera”; (3) The third group is prepared to believe that the Council will materialise provided the Pope repairs to Trent in person; if he refuses to do so “senza dubbio reputeriano ogni cosa vana et inutile”. The well-meant suggestions for the success of the Council by an anonymous writer (*C.T.*, VOL. XII, pp. 426 ff.) betray the counsellor's inexperience.

<sup>2</sup> On the evening before his death (15 April) Stadion told his companions at table: “They want me to go to the Council, but I do not know whether I shall get as far as Dillingen whole and sound”, *N.B.*, VOL. I, PT VII, p. 356; *ibid.*, p. 361, on Otto's election.

<sup>3</sup> Morone on 30 June, *C.T.*, VOL. IV, p. 346; the Würzburger's letter, *ibid.*, p. 342. According to K. Ried, “Fürstbischof Moritz von Hutten und seine Stellung zur Konzilsfrage”, *Festgabe Joseph Schlecht* (Munich-Freising 1917), pp. 281-99, and *id.*, *Moritz von Hutten und die Glaubensspaltung* (Münster 1925), pp. 67 ff., Hutten left Eichstätt on 4 June. The day of his arrival is uncertain. He stayed at the house of Canon Christoph Nagelbeck. His contest with the Italian bishops over precedence in *C.T.*, VOL. I, p. 181. Truchsess had handed the invitations to Konrad von Bibra, Bishop of Würzburg on 7 September 1542. On 26 May 1543 Bibra informed his chapter that he intended to send the licentiate Armbruster to Trent; see A. Amrhein, *Reformationsgeschichtliche Mitteilungen aus dem Bistum Würzburg* (Münster 1923), p. 64. On the four proctors of Trier Johann Count Isenburg, Ambrose Pelargus, Nicolaus Mondrichius and Jacob Pergner cf. *C.T.*, VOL. IV, p. 352, n.3, VOL. V, p. 142; Ehse in *Pastor bonus*, 1897, p. 324 f. The Archbishop's correspondence with the chapter (12 May-8 June 1543) in St. Arch., Koblenz, C 1 16293. From a letter of provost Paul Neydecker to Nausea dated 3 February 1543 (*Epp. misc. ad Nauseam*,

The one man who needed no goading and who was all on fire to participate in the Council was kept back against his will. Bishop Nausea of Vienna had been chosen by King Ferdinand as his personal representative at the Council. Such was that prelate's keenness that as early as November 1542 he had instructed Canon Erasmus Strenberger to secure accommodation for him at Trent in the house of Stephen Rosin. In his eagerness he ignored the warning of his confidential agent against undue haste. His departure was fixed for 3 February when a royal ordinance dated 20 January came to damp his ardour. He was not to set out until ordered by the King. There was nothing for it but to wait. Then came the monitory brief of 18 February together with a letter from Truchsess with a formal assurance that the Pope would not allow himself to be diverted from his purpose. Thereupon Nausea announced his readiness to set out at once and besought King Ferdinand to allow him to do so and to supply him with the necessary funds. Verallo supported his request. On 12 May Ferdinand replied coldly that he stood by his decision. If Nausea was summoned by the Pope he could, of course, set out for Trent, but not as his envoy and consequently not at his expense. Urged by a second admonition from the Pope, Nausea set out, not for Trent but for the Curia. He reached Parma in mid-June when he presented to the Pope his most recently published works—his great Catechism and an extensive work on the reform entitled *Sylvae Synodales*.<sup>1</sup> However, by this time the fate of the Council had been decided—it was already at its last gasp.

On 25 May 1543 Charles V entered the harbour of Genoa with a powerful fleet. From Genoa he intended to march into South Germany for the purpose of chastising the Duke of Cleves, who had allied himself with France. Once rid of this thorn in his side he intended to launch a great counter-offensive against France from the Netherlands. The Emperor's march through northern Italy provided an opportunity for the meeting with the Pope which the latter had long desired. Such an interview was more necessary than ever, for the tension between the

p. 356) we learn that the Bishop of Bamberg had appointed the cathedral preacher Johannes Eckelsheim as his proctor. The Bishop of Breslau had intended to appoint Cochlaeus as his proctor, but while he was still discussing the matter with his chapter the Council was suspended, *Archiv für schlesische Kirchengeschichte*, I (1936), p. 64.

<sup>1</sup> *C.T.*, VOL. IV, p. 326 f.; the copious correspondence is in *Epp. misc. ad Nauseam*, pp. 354-65. From Farnese's letter of 26 May to Nausea we gather that the fresh brief of convocation desired by Nausea was actually despatched, *N.B.*, VOL. I, PT VII, p. 365, n.1, but his travelling expenses were not refunded, *Z.K.G.*, XXI (1901), p. 539. Extract of *Miscellanea* in *C.T.*, VOL. XII, pp. 364-426; soon afterwards Nausea handed to Cardinal Cervini the memorial printed *ibid.*, pp. 428 ff.



two rulers had been intensified rather than eased. Quite recently at Nuremberg Verallo and Truchsess had had to listen to Granvella's accusation that the Pope favoured France.<sup>1</sup> The Turkish fleet operated quite openly with the French in the Tyrrhenian Sea and ravaged the coast of Italy with the sole exception of the States of the Church. All this was done under the expert leadership of a French Knight of St John. Yet the Pope refused to abandon his neutrality for he was more than ever afraid of the Emperor's preponderance. However, the Franco-Turkish full-scale aggression failed on all fronts. If France were completely defeated and reduced to impotence Charles V would be the unquestioned monarch of the West and the weight of his authority would be more than could be borne by the head of the Church, the Papal States and the house of Farnese. Even apart from these considerations, it is incontestable that France's reply to the abandonment of neutrality by the Pope would have been a schism. A Council dominated by the Emperor or at least subservient to him and in which the French took no part would constitute a positive danger for the Church. Its œcumenicity would be called in question while it would be but an extremely doubtful remedy against the German schism. On the other hand, if the Pope maintained his neutrality and allowed things to go on as before, the Council of Trent would inevitably be an almost exclusively Italian rump-Council. Papal policy stood at the cross-roads; whichever turning it took, a truly œcumenical Council was beyond attainment.

On 5 May, in view of the decision that must be taken, Paul III summoned the conciliar legate Pole to Bologna to report.<sup>2</sup> The day after the cardinal's arrival, 11 May, the consistory discussed the question whether the other legates should be recalled.<sup>3</sup> It had become known that the Emperor's suite included two bishops provided with powers of attorney for several other prelates. Was the monarch planning another sudden stroke? Or was it his intention to force the opening of the Council on the plea of at least a token-participation of the Spanish hierarchy? Or was the presence of these prelates to be the

<sup>1</sup> *C.T.*, VOL. IV, p. 321; *N.B.*, VOL. I, PT vii, p. 575. At Trent Castelalto spoke to Campeggio of his fear that the movements of the papal troops were directed against the Emperor and warned him against taking sides against the monarch, *C.T.*, VOL. IV, p. 332.

<sup>2</sup> *C.T.*, VOL. IV, pp. 328 ff.

<sup>3</sup> What follows is based on the despatches of the agents of Ferrara, Ruggieri and Nobili, of 12 and 13 May, St. Arch., Modena, Roma 27A orr. The "congregazione de heri" mentioned in the despatch of the 13th is surely the consistory of 11 May. The two Spanish prelates who accompanied the Emperor were the Archbishop of Compostella and the Bishop of Huesca, *C.T.*, VOL. IV, p. 351, n.3.

means of prolonging the present situation? The Pope was determined not to allow himself to be caught unawares as in January. The recall of the legates could be accounted for by the necessity of hearing their report, though this measure meant the dissolution of the Council since the legates' departure rendered the assembly incapable of action. With the legates' recall the Pope would create a *fait accompli* and forestall any plan the Emperor might entertain.

The recall of the legates had been decided <sup>1</sup> when the Cardinal of Burgos rose in the consistory and as spokesman of the imperial cardinals emphatically opposed a measure which the Emperor would regard as an attempt to force his hand. The question was accordingly left open. On 13 May the Pope recalled Parisio, leaving Morone alone at Trent, but since the latter had full legatine authority even though alone the dissolution of the Council was avoided for the time being. The discussion of the problem then passed from the consistory to the conciliar committee <sup>2</sup> consisting of Cupis, dean of the Sacred College, the authors of the legates' instructions, Del Monte and Guidiccioni, Crescenzo and Badia to whom the Pope now adjoined Grimani, Cervini and Cortese. On 11 May these eight men were instructed to study the question carefully and to submit a report at the next consistory.

No minutes of the deliberations of the members of the committee among themselves and later on with the Pope and the two legates have been preserved, but it is not difficult to imagine on what points they turned. If they eschewed the solution of a prorogation—a contrivance somehow overdone at Vicenza—there remained three other possibilities. In view of the small attendance the Council might be suspended until the conclusion of peace, that is for a few months or for an indefinite period; or it might be transferred to some city of the Papal States such as Bologna or Piacenza; or, finally, an attempt might be made to maintain for a time the existing state of suspense. The latter possibility was the one that met the Emperor's wishes as we gather from Morone's reports <sup>3</sup> of his lengthy conferences with Granvella between 26 May and

<sup>1</sup> On 13 May Nobili wrote: "Nella congregazione de heri se intende che s'era determinato che li legati tornassero, ma sotto colore di voler relatione delle cose pertinenti al concilio, con dechiaratione quod in absentia legatorum quicquid fuerit, esset irritum et inane. Et per questa via intende S. S.tà de risolverlo. Alche opponendosi il Rev.mo di Burgos et altri imperiali con dire che non li pareva honesto che sulla faccia dell'Imperatore ipso inscio se resolvesse il concilio. Non si è però restato di fare questo di sopra." See previous note.

<sup>2</sup> C.T., VOL. IV, p. 329, n.2.

<sup>3</sup> Morone on 26 and 28 May, *ibid.*, pp. 335-42, especially pp. 337, l. 29 and 341, l. 43.

2 June during the chancellor's passage through Trent while on his way to rejoin the Emperor. Granvella urged the latter solution with the utmost energy, for the Council was a trump-card which made it much easier for him to counter the Protestants' demands in the religious sphere. On the other hand one objection to this solution was that a further postponement of the opening of the Council was scarcely reconcilable with the dignity and authority of the Apostolic See. A translation to the States of the Church was undoubtedly the solution that would best please the Pope and the majority of the cardinals; it would also meet France's wishes; on the other hand it would cut across the Emperor's plans and it was doubtful whether the Germans would attend and recognise such a Council. In that eventuality and in the light of certain remarks of Granvella, there was a possibility of a fresh agitation in favour of a German city, such as Mainz or Speyer.

There remained the alternative of a suspension. However, if the Pope took this step after his many protestations that he would hold the Council in any case he ran the risk of being accused that the convocation was no more than a gesture. A suspension was equivalent to a dissolution and a provisional abandonment. Like a translation, it was at variance with the Emperor's wishes. In either case, Tommaso Campeggio wrote to Farnese on 21 May,<sup>1</sup> they would have to reckon with serious difficulties either in the shape of a formal protest by the Emperor or a renewal of discussions as to whether the Pope was empowered to dissolve or to transfer a General Council once convoked similar to those which had arisen on the occasion of the translation of the Council of Constance to Ferrara, not to speak of the Emperor's claim that he was entitled to call a General Council in a state of emergency—a claim supported by a number of canonists. Once again the scene was darkened by the fatal question of authority of Pope and Council. Would the Pope's personal influence with the Emperor enable him to counter the latter's objections to either of the two solutions that he himself favoured?

We can gauge the depth of mutual distrust of the two rulers by the preliminary discussions about the place and the conditions of their prospective meeting. Charles V did not wish to go too far out of his way while proceeding to Germany. He insisted on coming with a strong military escort. On his part, for reasons of personal security and prestige, Paul III insisted on Bologna or Parma, and a small suite, with the result that up to the last moment it was doubtful whether the

<sup>1</sup> *Ibid.*, p. 334 (21 May).

meeting would take place. In the end both sides yielded. On 21 June the Pope made his entry into the small town of Busseto near Parma; the Emperor followed him with an escort of only five hundred men.<sup>1</sup>

The conference which ensued lasted five days but failed to ease the tension. Not one of the questions pending was settled to the parties' mutual satisfaction, in fact it was precisely on the most important points that they failed to come to an understanding. Charles V declined to enter into peace negotiations with France, while Paul III refused to abandon his neutrality. The compromise proposed by the Pope, that the duchy of Milan should be bestowed on Ottavio, the Pope's grandson, against payment of a large sum of money, was not openly and definitely rejected by the Emperor, but the proposal roused his strongest indignation and strengthened his conviction that papal policy was largely determined by the interests of the Farnese family. The question of the Council also remained unsolved. In view of the Recess of Ratisbon the Emperor wished it to be kept open while the Pope desired either its translation or its suspension, since in the existing conditions it lacked that character of universality which was essential for dogmatic definitions. While not directly opposing

<sup>1</sup> On the conference of Busseto at which, among other topics, there was question of the nomination of imperial cardinals, the reinstatement of Ascanio Colonna and the Turkish war, see Farnese's report to Verallio, 22 and 28 June, *N.B.*, VOL. I, PT vii, pp. 370-4, the letters of Charles V to Ferdinand I and Maria of Hungary dated 29 June, used by Korte, *Die Konzilspolitik Karls V*, p. 87, and by Brandi, *Kaiser Karl V*, p. 426 f.: Eng. edn., p. 494, and the instructions for the new ambassador to Rome, Juan de Vega, 4 July, in *Cal. of St. Pap., Spain*, VOL. VI, II, p. 560 f. The part that concerns the Council, with wrong date, is in Ferrandis-Bordonau, *El concilio de Trento*, p. 26. We get a lively picture of the confusion before the meeting in the letters of the agent of Ferrara, Niccolò Bendidio of Parma, 14-19 June, St. Arch., Modena, Parma. Another agent, Francesco Villa, writes on 16 June: "Alcuni dubitano che questo abboccamento non si faccia poichè S.M.ta vuole venir tanto ben accompagnato che anchorche venga in casa di S.S.ta venendole il capriccio si potria far patrone di lei" (*ibid.*). To the literature listed in Pastor, VOL. V, pp. 486-93: Eng. edn., VOL. XII, pp. 174 ff., must be added Cardauns, *Nizza*, pp. 281-93; Brandi, *Quellen*, pp. 331-5. The best thing on the *Pratica di Milano* which Pallavicino, *Historia del Concilio di Trento* (Rome 1656), VOL. V, III, pp. 1-11, as against Sarpi, VOL. I, VI (ed. Gambarin, VOL. I, p. 166 f.) considers to cast an unfair suspicion on Paul III, is in Chabod, *Lo stato di Milano nell' Impero di Carlo V* (Rome 1934), pp. 35 ff. From Ruggieri's report of 20 August, to be quoted at the end of this chapter, it appears that the Milanese project was the chief cause of the misunderstanding between Alessandro Farnese and Cervini because the latter "ricercato da lui e dal Duca Ottavio a persoadere a N.S. la pratica di Milano l'habbia piuttosto dissuaso". The fact was that Cervini was thinking of the consequences which were thus summed up by Ferdinand I for the benefit of Verallio: "Questa era cosa di far perder al tutto la religione in Germania e la buona opinione del concilio perchè li Lutherani se ne ralegrano grandemente et li Catholici si perderanno affatto", *N.B.*, VOL. I, PT vii, p. 374.

this wish, Charles V avoided a clear-cut answer and so left the responsibility of a decision to the Pope, who was thus compelled to assume it.

The decision was a heavy one and fraught with tremendous consequences. Before taking it the cautious Farnese Pope consulted not only the cardinals but likewise the bishops who had remained at Trent, especially the legate Morone, by whose frank opinion he set great store.

Morone's unenviable task it was to keep up appearances by continuing to hold a position which was as good as abandoned. With Pole and Parisio gone, no one at Trent believed any longer that the Council would ever meet. Imperial partisans, men like Captain Francesco di Castelalto and the Bishop of Hildesheim, confided their anxiety for the immediate future to Campeggio. What they feared was that the Pope would go over to the French side, a step that would lead to a German national Council.<sup>1</sup> Morone himself had to listen to representations of a similar kind by Granvella. Each of the two men sought to convince the other that so far no decisive step had been taken, but they were unable to soften the bad impression made by the recall of the two legates.

But a final decision had to be made. In compliance with his instructions Morone asked the Italian bishops assembled at Trent for their opinion as to what should be done with regard to the Council. The consultation was little more than a formality but the answers are nevertheless of great interest since they reflect the state of mind at the highest level. Almost all the answers were against a suspension and advocated a translation on the ground that for various reasons Trent was unsuitable and, from the canonical point of view, just then insecure. A Council held in such conditions would not be a truly oecumenical assembly on account of the absence of the French. Campeggio, Zanettini and Musso openly expressed the opinion that in order to avoid such a danger they should be prepared to run even the risk of a German national Council. Any compromise that such an assembly might arrive at would be more easily disposed of than an accord—including the secularisation of Church property, Communion in both kinds and the marriage of priests—which the Germans might extort from a Council. In any case the translation must be carried out forthwith, *in continenti*, before the arrival of the Germans at Trent and without previous consultation with them, otherwise it would be

<sup>1</sup> C.T., VOL. IV, PP. 332 f., 337.

exceedingly difficult to effect it and they might be faced with a worse situation than at Basle.<sup>1</sup>

The only one to voice any misgivings about such a solution was the Archbishop of Otranto, Pietro Antonio di Capua, a well-known figure in the history of Italian evangelism. This prelate was convinced that in the existing circumstances no General Council could successfully be held either at Trent or anywhere else; hence a translation would be meaningless and might easily become dangerous because it would lead to a national Council and the consequent loss of Germany. The only thing to do was to keep the convocation in suspense in accordance with Granvella's proposal. The Archbishop of Otranto's observations received support from a remark of the Bishop of Hildesheim, who, it would seem, had not been directly consulted. It was to the effect that a translation would drive the German Catholics to despair. These considerations impressed Morone, who shuddered at the light-heartedness with which the prelates of the Curia accepted the notion that Germany was lost already. He saw clearly—and history bears him out—that that country, situated as it is in the very heart of Europe, is decisive for the fate of the whole of Europe.<sup>2</sup> Morone accordingly rejected a translation, advocated though it was by the majority, without previous consultation with the German Estates. He nevertheless hesitated to advise such a step for fear of the latter demanding a translation into the interior of Germany, for even an imperial guarantee would not constitute an effective safeguard against the complications that were to be expected in such an eventuality. In view of the German situation Morone also rejected another way out, one to which he had evidently given a great deal of thought: namely that instead of a suspension there should be a kind of *restitutio in integrum*, in the sense that the Pope should declare, with all the solemnity of a Bull, that circumstances compelled him to refrain from a Council but that he was resolved to convene one at the appropriate time and in a locality acceptable to all nations and in particular to Germany. But such a declaration should be followed up by immediate action, nothing less in fact than a general reform of the Church.

<sup>1</sup> Morone's report of 28 June, *ibid.*, pp. 345-8. T. Campeggio's illuminating letter to Cardinal Pucci, 30 June, *Carte Stroziane* VOL. I (Florence 1884), pp. 580 ff. Campeggio writes: "Trent, non solo non è sicuro per li francesi, ma anco non è sicuro per l'altre natione per il transito de' soldati che de Italia vanno alla guerra di Ungheria et a quella di Fiandra, per lo quale le hostarie se abandonano ne vi si trova da vivere."

<sup>2</sup> "Quando la Germania sara caduta totalmente, che tutto 'l resto de la Christianità sara in periculo manifesto." *C.T.*, VOL. IV, p. 347.

Morone knew Germany too well not to realise that a withdrawal of the convocation of the Council, even in the above form and accompanied by so unmistakable a proof of good-will, would do almost irreparable injury to the whole notion of a Council, especially among the German Catholics. Such a responsibility he was unwilling to take on himself. Prolonged and anxious consideration of the problem led him to favour a solution which more than any other took account of the German situation, the one proposed by Granvella and the Archbishop of Otranto. He knew that the Pope felt that further delay was not in keeping with his dignity, while he regarded Trent as a not very suitable locality for the Council. But what were these drawbacks by comparison with the fact that he would be redeeming his promise to hold the Council in any circumstances? Morone thought little of the dangers arising out of the position of Trent. He felt that it would be possible, even at Trent, to keep the situation well in hand and to prevent its domination by the imperialists.

The course of the Council of Trent was to show that Morone's assessment of the ecclesiastical and political forces was substantially correct. Exactly twenty years later, in the capacity of president of the Council, he himself gave effect to these suggestions when he successfully steered the assembly through the most grievous of all the crises it experienced. In 1543 his advice was ignored.

During the Emperor's stay at Trent between 2 and 5 July in the course of his progress to Germany, Morone had occasion to observe that the tension between the two rulers had not been eased in the least. His own treatment by the Emperor was extremely chilly; of the results of the conference of Busseto the monarch spoke in slighting terms. In the hope of breaking the ice, Morone spoke of the help the Pope was giving to King Ferdinand for the Turkish war<sup>1</sup> and of the measures taken against the Turkish fleet. "They are useless," the Emperor coldly observed. "That pirate Barbarossa allies himself with his brother, the King of France, but the Pope chooses not to notice it." With calculated irony he proceeded to express his sympathy with the legate for his being compelled to stay on at Trent. "Actually," he observed, "the question of the Council was no concern of his; it was the Pope's own affair." In order to refute this assertion Morone recounted briefly and with perfect courtesy the antecedents of the

<sup>1</sup> Granvella complained of the slow progress of the papal troops. Giovio had foretold that they would not reach Linz by the time the Turks had captured Vienna, *C.T.*, VOL. IV, p. 350.

convocation; nor did he neglect to remind the Emperor that he himself had sent envoys to Trent. "Yes," the Emperor replied significantly, "they arrived all too soon for your convenience! It is useless to speak of the Council at present; I am only waiting to hear what His Holiness has decided!"<sup>1</sup>

Morone was ignorant of the Pope's decision, nor did Poggio, who rejoined the court at Trent on 3 July, bring any information. This was all the more embarrassing as the Emperor had obviously arranged to stop at Trent for the purpose of informing Morone of his German plans. Only on 6 July, the day after the departure of the court, did the Pope take the expected decision at a secret consistory held at Bologna. The Council was suspended. The Bull of Suspension *Etsi cunctis*,<sup>2</sup> of the same date but only published on 29 September, gave a fairly detailed account of its convocation. It spoke of the Pope's efforts with the great powers, his repeated admonitions to the bishops for whose arrival the legates had waited in vain—*non sine aliqua dictae Sedis indignitate*—of the pontiff's journey to Bologna and of the encounter of Busseto. The Bull then drew this conclusion: In view of the fact that there was no peace and that the attendance was inadequate, the plan for the Council could not be put into effect for the time being. After hearing the report of the legates who had been recalled to Bologna, and the opinion of the bishops still at Trent, he felt convinced that the Council must be prorogued until a more favourable time. There was no mention of the Emperor's approval of the suspension, for Granvella had expressly deprecated any such reference.<sup>3</sup> In terms obviously aimed at the Emperor's proposal to leave the convocation in suspense for a further period the Bull proceeds: "Since the Pope feels compelled to return to Rome on account of the Turkish menace and since, on the other hand, he is anxious to ease the conscience of the prelates whose duty it is to attend the Council, he has decided, on the advice and with the consent of the cardinals, to suspend the assembly until such time as shall be determined by the Apostolic See, to recall the legates and to allow the prelates who have come to Trent to take their departure." It was no mere formality but a calculated precaution

<sup>1</sup> Free rendering after *C.T.*, VOL. IV, p. 349, l. 9-13. On Charles's great plan in particular, cf. his instructions for his son Philip, whom he had named Regent of Spain, Brandi, *Karl V*, p. 415: Eng. edn., p. 484; *id.*, *Quellen*, p. 329.

<sup>2</sup> *C.T.*, VOL. IV, pp. 352-5. The long delay of the publication may have been due to Granvella's request that the conclusion of the Diet of Schmalkalden should be awaited. *N.B.*, VOL. I, PT vii, p. 447.

<sup>3</sup> Poggio on 13 July, *N.B.*, VOL. I, PT vii, p. 446.



when the Bull declared any act contrary to this disposition to be null and void.

No such act was to be feared on the part of the prelates at Trent: they were glad to get away. Morone was informed of the suspension by a brief and a covering letter.<sup>1</sup> However, he thought it his duty to await the arrival of the promised Bull of Suspension; when that document failed to arrive he left Trent, but only after he had received formal leave to do so on 25 July.

Thus the latest attempt to summon a Council—the first Tridentine one—ended in failure. It must be granted that it was beyond the Pope's power to remove the chief cause of the failure, namely the war between the two great powers. His offers to act as a peace mediator had been rejected by both sides. The major responsibility lay undoubtedly with the aggressor, Francis I, but Charles V cannot be completely absolved from blame. Angered by the Pope's political neutrality and actuated by his ever-growing suspicion of the latter's ultimate aims, Charles V prevented the Spanish bishops from journeying to Trent and thereby provided the other nations with a plausible pretext for holding back. Lastly, Paul III himself waited far too long before taking the two measures which would have convinced the world of the sincerity of his intentions with regard to the Council, namely the ordering of the Italian bishops to Trent and his own departure for Bologna.

The first Tridentine convocation was nevertheless no mere comedy, as has been said; it was also more than a gesture the hopelessness of which was obvious from the first, as the Emperor imagined.<sup>2</sup> The Pope was well aware that the religious destiny of Germany, and not hers alone, but the fate of Italy and perhaps that of all Europe, would be at stake if the Council, the clarification of dogma, and the reform of the Church were still further delayed. However, fear of anti-Roman feeling and of conciliar theory—which his advisers did their best to foster—led him to stick obstinately to his notion of a preservative Council and to the idea that if a Council was to be held without injury to papal authority it must needs be convened within the immediate

<sup>1</sup> The brief of 6 July in *C.T.*, VOL. IV, p. 352. The covering letter of the 7th (*N.B.*, VOL. I, PT vii, p. 379) is missing as well as the permission to leave, which, however, may be deduced from the letter of the Archbishop of Corcyra, but of which Morone had no knowledge when he wrote his last report on 25 July, *C.T.*, VOL. IV, p. 356.

<sup>2</sup> The phrase "Comedy of the Council" in Cardauns, *Nizza*, p. 284. On the Emperor's observation in his *Memoirs*, cf. the pertinent remarks of P. Leturia in *Civiltà Cattolica*, xcvi, ii (1946), pp. 19 ff.

domains of the Church, that is, within the Papal States or in the territory of some small Italian state, or at the very least within the territory of the Republic of St Mark. In his opinion Trent marked an extreme concession which it would hardly be possible to uphold in the long run should the Emperor choose to make a display of authority at the Council and the Protestants—against all expectation—decide to take part in it. The idea of transferring the Council into central Italy had been contemplated from the first. Hence the frequent complaints of the bishops of the high cost of living, the restricted space and the climate of the city of Trent—complaints which later on were seen to have been without foundation, or at least greatly exaggerated. The Pope was prepared to do his share in bringing about a Council, but to a Council at Trent he only gave a half-hearted support.

Nor could he overlook the fact that if the state of war continued, France's participation was practically ruled out, while an inadequately attended Council, or one attended by only one party, would never command the incontestable authority in matters of faith which was essential for the condemnation of Protestantism. Instead of healing the wound, the decisions of a rump-Council might easily conjure up incalculable complications. This consideration was a decisive argument against the opening of the Council in the prevailing circumstances. The Pope had convoked it at an unpropitious moment in order to redeem the promise made at Ratisbon. There were weighty reasons against its being opened at Trent, but its translation, desired by many, the Pope himself included, was fraught with no less danger. Thus it came about that it was finally decided to suspend it. It may be that things would not have got so far, or that the Pope would have continued the waiting policy advocated by Morone and desired by the Emperor, if the latter had fallen in with the pontiff's wishes by resolving the question of Milan in a sense favourable to the house of Farnese. Here we come up against a disturbing factor, one that fatally upset the magnetic needle of Paul III's political compass which pointed to the Council and Church reform—namely his family policy, whose keenest exponent was Alessandro Farnese. There can be no doubt that during the decisive years of the Catholic reform the builder of the Gesù, the Palazzo Farnese, the Villa Caprarola, and the patron of artists and humanists showed neither interest in nor understanding of the forces at work for a renewal within the Church, and that he hindered their development as soon as they stood in the way of his dynastic policy and his personal covetousness. Up to the beginning of the fifteen-forties, by reason of

his youth and inexperience, the cardinal-nephew had not been in a position to pursue a personal policy. In his legations he had been accompanied by Cervini in the capacity of adviser, for though the Pope did not regard the latter as a great politician or as a creative genius, he knew him as a conscientious, wise and loyal counsellor. But now the twenty-three-year-old young man ruthlessly shook himself free of a yoke which had hitherto checked his unrestrained ambition and his unscrupulous family policy. Cervini was an opponent of the Milan transaction. Alessandro resented Cervini's influence with the Pope which enabled him to cross his designs. He accordingly refused to work with him any longer. He maintained this attitude even when the Pope suggested a compromise by the terms of which the nephew would have dealt with political affairs while Cervini would have handled ecclesiastical matters. The rupture was so complete that during the whole of the journey from Bologna to Perugia the two men did not exchange a single word. Their arrival was marked by a most humiliating scene for the elder of the two.<sup>1</sup> With a view to hushing up the conflict, Cervini withdrew for a while to his native Montepulciano. During his absence the Farnese clan, Alessandro, Ottavio and their father Pierluigi, worked upon the Pope for two whole days at Ronciglione in order to bring him round to their views. Their pains did not go unrewarded. Cervini returned to the Curia, but for a long time his political influence could not make itself felt. He devoted himself to the administration of his diocese of Gubbio, which had been bestowed on him at the beginning of 1544, to his learned studies and to ecclesiastical affairs. But it was not long before his conciliar legation removed him from Rome. At last Alessandro was rid of the tiresome monitor; at last he had a free hand for his ambitious plans. When towards the end of his life the Pope became aware of the intrigues of his nephews, it was too late: the mistakes that had been made were beyond repair.

Impartial history, whose duty it is to serve truth, cannot absolve the Pope from the reproach of excessive weakness towards his own family, but the severity of its judgment may be softened by taking into

<sup>1</sup> Particulars about the rupture between Farnese and Cervini (cf. p. 481, *n.1*) in Ruggieri's despatch in cypher, 20 August 1543, St. Arch., Modena, Roma 27A, confirmed by the despatch of the Venetian envoy Venier, *C.T.*, VOL. IV, p. 351, *n.4*. At first the Pope did not by any means take Alessandro's side without further consideration. At Perugia he called him a devil on account of his obstinacy. Ruggieri ascribes Cervini's fall to three influences: "Prima, i principi et poi alcuni Rev.mi et ultimamente gente del suo paese, volendo insinuare di Mons. Ardinghello e di Montepulciano (Ricci)."

account the pontiff's great age. All the more grievous are its charges against a cardinal who, once he had secured the most influential post in the Curia while still in youthful years, induced the Pope to abandon the genuine ecclesiastical policy upon which he had entered. In this way Farnese cast away a role which, two decades later, another equally youthful nephew—Charles Borromeo—was to play for the good of the Church. The blame for the profound estrangement between Paul III and Charles V, which hampered conciliar policy almost continuously up to the very end of the pontificate must be ascribed in large measure to the dynastic intrigues of Alessandro Farnese.

## CHAPTER XI

# The Peace of Crépy and the Second Tridentine Convocation

THE effect of the suspension of the Council on the German Catholics was crushing: too often they had been assured that it would be held in any circumstances. Those zealous prelates who, on the strength of these assurances, had despatched their representatives to Trent felt disappointed. They saw themselves in a false position. On top of all this the proctors of the Archbishops of Mainz and Salzburg complained in vehement terms to Granvella of the treatment they had met with at Trent.<sup>1</sup> As for the representatives of Trier, they discovered on their arrival on 8 July that the Council had already been suspended. The event appeared so enormous that in many places the report met with incredulity. This alone accounts for the fact that as late as the first days of August several abbots and Augustinian priors of the diocese of Freising designated Erasmus Strenberger, a canon of Trent, and Provost Stephen Rosin, as their proctors.<sup>2</sup>

Nausea had foretold that a fresh failure of the conciliar convocation would inevitably lead to a German national Council or at least to a deliberate apostasy of the princes who, up till then, had remained Catholics.<sup>3</sup> Like Morone and other people acquainted with German conditions, he took too gloomy a view of the future, though the situation north of the Alps was serious enough.

King Ferdinand took the news of the suspension like the simple, loyal Catholic that he had so often shown himself to be. Though he was critical of Church and Pope, his was a childlike devotion to both.<sup>4</sup>

<sup>1</sup> Poggio, 13 and 19 July 1543, *N.B.*, VOL. I, PT vii, pp. 446, 449, 451.

<sup>2</sup> St. Arch., Munich, Haus und Familiensachen, Conc. Trid., fasc. 1: Nominations of proctors by Abbot Maurus of Ettal, 4 August, the Augustinian provost Wilhelm von Rayttenpuech, 3 August, the Augustinian provost Ambrose of Understorf, 31 July, Abbot Andrew of Scheyern, 30 July, Abbot Leonhard of St Sebastian at Ebersberg, 15 August, Abbot Leonhard of Sts Peter and Paul at Beylberg, 6 August, and the prelates of Weihestephan, Weiern and Beiharting. The Abbot of the Schotten at Vienna and provost Francis of St Dorothea had prayed Nausea as early as 20 June to excuse their absence from the Council, *Epp. misc. ad Nauseam*, p. 362 f.

<sup>3</sup> *C.T.*, VOL. XII, p. 430.

<sup>4</sup> *N.B.*, VOL. I, PT vii, p. 381.

He granted that though there was a pressing need of a Council, circumstances made its assembly impossible. He accordingly submitted to the papal decision on the one condition, that his brother—after consultation with the Estates of the Empire—did not take up a different standpoint.

It was not long before he learned that though he preferred a suspension to a translation, the Emperor was exceedingly put out by the Bull of Suspension.<sup>1</sup> Charles V missed any reference in that document to the fact that he had concurred with the convocation by the despatch of envoys, and he was indignant at being put on a level with Francis I at the very time when the French King was allowing the Turkish fleet to winter in the harbour of Toulon, thereby removing the last doubt about his alliance with the Turks. More than ever the Emperor felt that on the plea of official neutrality the Pope was actually favouring France. His ambassador in Venice observed that "the Pope had six lilies in his escutcheon but six thousand fleurs-de-lis in his heart", while his ambassador in Rome, Juan de Vega, when kept waiting while the French ambassador was closeted with the Pope, left the ante-chamber with the pointed remark that "in there they are evidently busy with the affairs of Christendom, so he would not interrupt".<sup>2</sup>

England's entry into the war against France on 22 June and the Emperor's quick defeat of the Duke of Cleves gave Charles V a decided advantage over his opponent. As a matter of fact the possibility of his decisive victory was already apparent, as Serristori had prophesied to the Pope. On the other hand the Farnesi were greatly angered by the final rejection of their ambitions in respect of Milan and were unmistakably working for a *rapprochement* with France. They were planning the marriage of Vittoria Farnese, the sister of Alessandro and Ottavio, with the Duke of Orleans, when Milan would be bestowed on the couple. This was not to be thought of in the event of the Emperor's victory; hence it was necessary to secure a tolerable peace for France before a decision in favour of the Emperor should lay the whole of Europe at his feet. Besides these dynastic considerations there were other, more weighty reasons why the Pope should make a further effort for peace, namely the Turkish successes in Hungary and the need of a

<sup>1</sup> Poggio to Farnese, 11 July 1543, *N.B.*, VOL. I, PT vii, p. 446; Charles V to Ferdinand, 19 November 1543, Druffel, *Karl V und die römische Kurie*, VOL. I, p. 197; similarly in the course of the conversation with Farnese, Lanz, *Staatspapiere*, p. 353.

<sup>2</sup> Canestrini, *Legazioni di A. Serristori*, pp. 130 ff. (13 October 1543).

Council. "Peace and Council" was the keynote of the Pope's instructions for Cardinal Farnese when, towards the end of 1543, the latter visited first Francis I and then Charles V as peace-legate.<sup>1</sup> On the advice of Morone and in the hope of securing the support of the princes of the Empire for the papal peace-offensive, the jurist Francesco Sfondrato, who had but recently embraced the clerical state and who until 1541 had been in the service of the Emperor, set out for Germany at the same time.<sup>2</sup> Farnese personally called on Truchsess, the newly appointed Bishop of Augsburg, the Dukes of Bavaria, the Count Palatine and the Archbishop of Trier. Other princes, such as the Elector Joachim II of Brandenburg and the Archbishops of Cologne and Salzburg, he exhorted by letter to do their utmost at the forthcoming Diet with a view to paving the way for peace, or at least for a long-term armistice which would make it possible to hold the Council and to organise a joint offensive against the Turks.<sup>3</sup> On 23 January 1544 Sfondrato and the legate Farnese met at Worms.

As was to be expected the latter had met with a much more friendly reception at the court of Francis I than Sadoletto the year before. The King discussed the peace conditions with him; he was even prepared to consider a partition of the duchy of Milan, nor was he unwilling to conclude an armistice. The Farnese family plans were submitted to an exhaustive examination. In an attempt to induce the Pope to take his side the King held out the prospect of the marriage of the Duke of Orleans with Vittoria Farnese. The magnificence of the reception extended to the youthful cardinal—who was extremely sensitive to

<sup>1</sup> The preparatory memorials by Morone in Pieper, *Zur Entstehungsgeschichte*, pp. 183 ff., and *N.B.*, VOL. I, PT vii, pp. 483 ff. The instructions for Sfondrato are partly in *C.T.*, VOL. IV, p. 357 f.; the parts omitted there are in *N.B.*, VOL. I, PT vii, pp. 485-91. Druffels's account, "Kaiser Karl V und die römische Kurie 1544-46", in *Abhandlungen der Münchener Akad., historische Klasse*, XIII (1877), p. 2, is full of information but decidedly anti-Roman. J. Müller's sagacious study, "Die Konzils-politik Karls V am Trienter Konzil im Jahre 1545", in *Z.K.G.*, XLIV (1925), pp. 225-75, 338-427, to which I shall often refer in the sequel, also fails to do justice to the ecclesiastical side of Paul III's policy.

<sup>2</sup> Short biography of Sfondrato in *N.B.*, VOL. I, PT x, p. xxi f. He became Bishop of Sarno on 12 October and a cardinal on 19 December 1544. By his wife Anna Visconti he had had six children. His son Niccolò was raised to the Chair of St Peter under the name of Gregory XIV, Pastor, VOL. x, p. 531: Eng. edn., VOL. XXII, p. 351. The singleness of character of which he gave proof as a senator of Milan and in the settlement of the disputes with Siena is a guarantee that he fulfilled his German mission without injury to his loyalty to the Emperor.

<sup>3</sup> Sfondrato's reports of 25 December 1543, 9 and 22 January 1544, and the identical Latin letter to the six princes, in *N.B.*, VOL. I, PT vii, pp. 493-503; Joachim II's reply in Döllinger, *Beiträge*, VOL. I, p. 38 f.

such things—and the friendliness of the gallant court left nothing to be desired.<sup>1</sup>

A very different atmosphere prevailed at the imperial court. Charles V had told the nuncio Poggio in plain terms that a peace-legate would not be welcome. When Farnese nevertheless presented himself before him at Kreuznach, on 21 January, the Emperor poured out a torrent of complaints. "The Pope", he said, "favoured France; he had not a word to say about the King's far-reaching offers to the League of Schmalkalden, the original text of which had been shown to Granvella by the Landgrave Philip, while he blamed the Emperor for his alliance with England." He flatly rejected Francis I's peace conditions as well as an armistice which "as a matter of fact, would not advance the cause of the Council since the French state council had long ago arrived at the conclusion that such an assembly would not be in the interests of France and must therefore be prevented."<sup>2</sup> In the Emperor's view Farnese's legation and Sfondrato's mission to Germany were nothing but an attempt to rescue France in her hour of peril. He quoted a remark of Wotton's, the English ambassador, who had observed that "as long as there are apostolic nuncios, the King of France is not without his agents here".<sup>3</sup>

This suspiciousness, though not wholly groundless, was nevertheless excessive. While it cannot be denied that the Pope's sympathies were with France and that his efforts for peace were most acceptable to that country in the critical condition in which it found itself, these efforts were undoubtedly in the best interests of the Church. Peace alone, or a long-term armistice, would make it possible to hold a Council; if the Emperor rejected both alternatives he rendered the meeting of

<sup>1</sup> From the final report on Farnese's mission, which may be ascribed to one of his companions (Ardinghello or Ricci), Vat. Arch., Arm. 64, VOL. 32, fols. 117-137, it appears that the Council was not discussed either at the French or at the imperial court. The hopelessness of his efforts for peace wrung from Dandino the sigh: "Piaccia Dio metterci la mano a questa volta, perchè . . . questa cura è totalmente riservata a S.M.tà divina", Vat. Arch., Francia, 2, fol. 217<sup>r</sup> (9 January 1544).

<sup>2</sup> The Emperor's statements to Poggio in *N.B.*, VOL. I, PT vii, pp. 460, 476 ff. The Emperor's views of the negotiations with Farnese in the "Information" for Juan de Vega, probably of 25 January, Lanz, *Staatspapiere*, pp. 346-58. The invectives against the Farnesi which Cardinal Gonzaga says he heard from the Emperor's lips (including a warning of the fate of Clement VII) are not incredible, but the letter of 18 March (Pastor, VOL. V, p. 852 f.; Eng. edn., VOL. XII, p. 670) to Ferrante betrays once more an inclination for "combinazioni", which was so characteristic of the cardinal. For Este's mission at Venice and Rome, see V. Pacifici, *Ippolito II d'Este* (Tivoli 1920), pp. 77-89, and the reports of the English agent Harvel, *Cal. of Letters*, VOL. XIX, PT I, pp. 312, 346, 409. We hear an echo of the feelings at the imperial court in the complaints of the "Papa francese" which Verallo heard at the court of Ferdinand I, *N.B.*, VOL. I, PT vii, pp. 414, 431.

<sup>3</sup> *Cal. of Letters*, VOL. XIX, I, p. 94 (No. 161).



the Council impossible, just as Francis I had rendered it impossible the year before by his declaration of war.

The tension between Pope and Emperor became so acute in the course of the ensuing months that many people believed a rupture was unavoidable.<sup>1</sup> Paul III was very angry at the Emperor's treatment of Alessandro Farnese. He was prepared to proclaim null and void the Spanish Concordat by which foreigners were debarred from all Spanish benefices.<sup>2</sup> He welcomed the French victory of Ceresole (14 April 1544) with a sigh of relief. He allowed Pierluigi Farnese to support by every means in his power the Florentine emigrant Pietro Strozzi, an adventurer in the pay of France, and his recruiting activities in Italy. He nevertheless shrank from the last step: he refrained from openly siding with France—the risk was too great. Cardinal Ippolito d'Este pressed him in vain to enter into a triple alliance with France and Venice. The Republic of St Mark was not prepared to come out into the open until the Pope should have done so too. Paul III shrank from such a step—officially he remained neutral.

The imperialists watched the Pope's growing intimacy with the French with ever mounting bitterness. Relentless *raison d'état* had forced the Emperor's daughter Margaret into a matrimonial alliance with the Farnese family. Womanlike, and torn between anger and despair, she vented her dislike of that family without the least restraint. The imperial ambassador Vega went so far as to indulge in covert and even open threats. In May 1544 he left Rome without taking leave of the Pope. The tension reached its climax during the summer, when Paul III felt compelled to protest against the decisions of the Diet of Speyer.<sup>3</sup>

<sup>1</sup> The most vivid account is in the reports of Serristori who was in close association with Vega and Margaret during March and May 1544, Canestrini, *Legazioni di A. Serristori*, pp. 133-40. I was not able to consult *La embajada a Roma de Juan de Vega*, by M. Lasso de la Vega y de Taejada (Saragossa 1944).

<sup>2</sup> *C.T.*, VOL. IV, p. 377, n.9. The Venetian envoy relates an interesting incident at the consistory of 18 December 1543, St. Arch., Venice, Senato, Roma 1543-44: The Pope proposed that a declaration be issued to the effect that "la pragmatica di Spagna s'intendesse nulla"; whereupon Cardinal Parisio demanded that the minute be submitted to himself and to the other deputies. To this the Pope assented. In the course of the ensuing discussions the Cardinal of Burgos demanded that similar action be taken in regard to France and Venice.

<sup>3</sup> The best account of the Diet of Speyer is that of F. Heidrich, *Karl V und die deutschen Protestanten am Vorabend des Schmalkaldischen Krieges*, VOL. II (Frankfurt 1912), pp. 3-50, already used by Janssen, VOL. III, pp. 637-48 (Eng. edn., VOL. VI, pp. 247 ff); Brandi, *Karl V*, pp. 438 ff. (Eng. edn., pp. 509 ff). The dissatisfaction of the representatives of the cities is illustrated by Sturm's reports, *Politische Correspondenz*, VOL. III, pp. 452-517, and Sailer's letters in Roth, "Aus dem Briefwechsel Gereon Sailer mit den Augsburger Bürgermeistern Georg Herwart und Lamprecht Hofer", in *A.R.G.*, I (1903), pp. 101-71. The Estates' reply in view of the declaration

The Emperor had given Farnese a hint to the effect that the religious question would come up for discussion at Speyer and this without the participation of a papal representative. There was talk of concessions to the Protestants. Though Luther and Melanchthon were rather in the dark about the aims of high politics they nevertheless looked forward to the forthcoming Diet with joyful anticipation. The Protestants were in a position to urge that the promised Council, which was to have been held within a period of eighteen months, had not materialised; they were therefore entitled to demand the national Council which had been held out to them as a substitute. On the other hand the Emperor was in need of the assistance of the Empire for the great offensive against France which he planned to carry out in conjunction with England in the course of the summer of 1544.

On 20 February 1544 he delivered his proposition to the Diet. A decisive success against the external enemy, that is, the Turk, he explained to the Estates, was only possible if the internal enemy was first disposed of, viz. Francis I. To crush him utterly he needed the help of the Empire.

The German princes were still under the impact of the catastrophic defeat of the Duke of Cleves. They were therefore in a pliant mood, in fact even the men of Schmalkalden had turned a deaf ear to French solicitations, and whereas at previous Diets French envoys had freely mingled with them, none were suffered to show themselves at Speyer. For all that, it was by no means certain that the Emperor's proposals would be accepted. Bavaria urged that the Estates should mediate with France. This was wholly in keeping with the Pope's ideas. The suggestion was not acted upon. The princes yielded to the Emperor's arguments—not to say his threats. On 12 March 1544 Francis I was declared an enemy of the Empire.

The Emperor bought this great success at the cost of far-reaching concessions to the Protestants in the ecclesiastical-political sphere.<sup>1</sup>

against France, in Weiss, *Papiers*, VOL. III, pp. 21-5. The French envoys' "Orationes" in Le Plat, VOL. III, pp. 210-34, are pure propaganda, as is the "supplex exhortatio ad Caesarem Carolum V et principes aliosque ordines Spirae nunc Imperii conventum agentes" drawn up at this time by Calvin, *Corp. Ref.*, VOL. XXXIV, pp. 453-534.

<sup>1</sup> The part of the Recess of 10 June affecting religion in *C.T.*, VOL. IV, pp. 358-62; the whole text in Lünig, *Reichsarchiv*, VOL. II, pp. 721-44. From the instruction for the Bavarian councillors dated 7 January 1544, printed by Druffel, *Karl V*, VOL. I, pp. 108-11, it appears that though Bavaria desired a temporary religious peace, she was opposed to a particularist settlement of the religious question on the ground that there was "kein ander weg sollich zwispalt in der religion christlich abzulegen dann durch ein gemain concili" which should be "jetzt von stund an widerumb ausgeschrieben". *Ibid.*, pp. 119 ff., the envoys' report of 27 May on the protest by Bavaria, the three archbishops and the Bishop of Augsburg.

He held out the prospect of another Diet in the autumn or winter at which the religious question would be discussed anew. At that Diet "devout, learned and peace-loving men" would submit a plan for a "Christian reformation". Until then, or until the opening of the General Council, no one was to use either force or coercion in the religious sphere. The enjoyment of ecclesiastical revenues was guaranteed to all, hence even to Protestant holders of benefices. Provided these revenues were applied to such purposes as the founding of schools and so forth, Protestants might retain them: all previous dispositions in this respect were to remain valid. Lawsuits against Protestants actually in progress at the supreme court of justice were suspended and the prospect of the eventual admission of Protestant judges was held out. All recesses against Protestants passed by previous Diets were likewise suspended.

These concessions of the Emperor in respect of Church property and the supreme court of justice were almost identical with the secret declaration of Ratisbon. The annulment of the previous recesses practically amounted to a declaration of toleration. However, all these concessions were only temporary; a final settlement would be made by the new Diet by means of a "reformation" worked out without the Pope's concurrence. Here was the chief stumbling-block, for the whole of this recess had not been extorted from the Emperor by means of prolonged haggling and bargaining; on the contrary, something unprecedented had happened, inasmuch as the Estates had left the drafting of the recess to the Emperor himself. This was Charles V's "greatest diplomatic victory" (Cardauns); but he also bore the sole responsibility for the fateful decision.

Thus it seemed that Morone's and the German bishops' fears as to the result of the suspension were about to be realised. All the Curia's efforts to keep the religious question out of the agenda of the Diet of Speyer, or at least to make sure that it would not be discussed without its participation through its delegate, had been in vain.<sup>1</sup> Whereas at Ratisbon the Emperor had given up important Catholic

<sup>1</sup> Morone's arguments in the instructions already quoted, in *N.B.*, VOL. I, PT vii, pp. 483 ff. Granvella made no secret of his opposition when Poggio mentioned the despatch of a legate to Speyer, *N.B.*, VOL. I, PT vii, p. 463. To Farnese he said that at previous Diets the papal legates had done more harm than good, Lanz, *Staats-papiere*, p. 358. With a view to defending himself against the accusation that he favoured the Turks, Paul III, on 26 February, addressed a brief to the Estates at Speyer (Raynald, *Annales*, a. 1544, No. 3, and Le Plat, VOL. III, p. 208 f.) which caused Luther to exclaim: "O christianissimum regem! O Sanctissimum patrem! O Catholicissimos Venetos!" Brandi, *Quellen*, p. 344.

positions in deepest secrecy, he now yielded them openly and in due legal form for the sake of a momentary political success. He lent himself to an arbitrary settlement of the ecclesiastical situation at some future date which, in view of the state of things, might easily lead—was perhaps bound to lead—to the whole of Germany becoming Protestant. There is little doubt that the monarch—of whose sincerely Catholic sentiments none were more firmly convinced than his keenest critics, viz. the Lutheran divines—was even then resolved not to carry out engagements which did violence to his conscience but, on the contrary, to have recourse to forcible measures. Rome, however, only considered the actual situation and acted accordingly.

The contents of the Recess of the Empire became known in Rome on 4 June. The Pope had his version of the text read out in consistory together with a brief criticism. Each cardinal was handed a copy.<sup>1</sup> As soon as the final version became available the pontiff instructed Cardinals Crescenzo, Cortese and Pole to draw up a comprehensive warning brief for the Emperor, one in keeping with the gravity of the matter.<sup>2</sup> A first draft, couched in extraordinarily sharp terms, was

<sup>1</sup> The "Advertenda" in Raynald, *Annales*, a. 1544, No. 5, used by Ehses in his notes on the Recess.

<sup>2</sup> The complicated antecedents of the admonitory brief have been cleared up, after Ehses, chiefly through the texts published by Cardauns, *N.B.*, VOL. I, PT vii, pp. 579-86, and the researches of J. Müller, *Z.K.G.*, XLIV (1925), pp. 399-411; Capasso, *Paolo III*, VOL. II, pp. 386 ff., marks a retrograde step. We thus get the following picture: (1) Draft A, last printed in *C.T.*, VOL. IV, pp. 374-9—a set of invectives which would justify the title of "Brief of blame"; (2) Draft B, in *N.B.*, VOL. I, PT vii, pp. 582-6—milder in tone and based on historical reminiscences, in keeping with the memorial printed *ibid.*, pp. 579-82, and which Müller rightly connects with Ricci's instructions (*C.T.*, VOL. IV, pp. 362 ff.), but wrongly dates after 30 July, for the word "cesserà" on p. 363, l. 44, shows that 27 July is a tenable date; (3) Final text C, in *C.T.*, VOL. IV, pp. 364-73. To this clarification of the origin I am in a position to add the following despatch of Ruggieri, the Este agent, dated 16 July, which has hitherto remained unnoticed: "Intendo che in questo ultimo consistorio si è fatta gran doglienza di questo altro recesso di Spira. Et parlandosi delle cose de la religione non si facci alcuna mentione di qua. Di che pensando S.S.tà di dolersi con l'Imperatore havea data la cura a li R.mi Crescentio, Cortese et Inghilterra di formar ciascuno da se una minuta di lettera. Il che essendosi fatto è restata poi l'ultima cura a M. Marco Antonio Flaminio di formar la lettera latina del modo ch'ella dee restare. Intendo anco che si è parlato per contraminar al concilio nazionale di Germania di convocarne uno in Italia et forse in Bologna", St. Arch., Modena, Roma 27A or. The existence of several drafts seems therefore due to the instructions given by the Pope at the beginning of July to the above-mentioned three cardinals. Whether the memorial in question was a directive elaborated in the papal private secretariate for the benefit of the three cardinals or for Flaminio, I dare not decide. In the latter case draft B would have to be regarded as the first formulation of the final text which was further altered and even amplified with Cervini's concurrence and thus became text C. It is impossible to ascertain with any degree of certainty which text was read at the consistory of 30 July.

rejected. The definitive text, completed on 24 August, appears to owe its literary form to the humanist Marcantonio Flaminio, one of Pole's intimate friends. On 27 July Giovanni Ricci, who was going to Portugal in the capacity of nuncio, was instructed to inform that court of the basic ideas of the brief in the hope that it would exert its influence with the Emperor in the same sense.<sup>1</sup>

The brief, couched in grave but fatherly terms, comes to the essential point at the very outset: "The Emperor has promised to decide the ecclesiastical affairs of Germany at an imperial Diet with the co-operation of laymen and even that of heretics while excluding the Pope, nay he even speaks of a future General Council or a national Council without mentioning the Pope."<sup>2</sup> His action is an encroachment on the rights of the Apostolic See and is bound to meet with the same divine judgment as the encroachment of Oza, Core and Ozias on the privileges of the priesthood of the Old Law, or the attempts of the Roman emperors and those of King Henry IV and the Emperor Frederick II against the Papacy. In the ecclesiastical sphere the Emperor's role is that of the arm, not that of the head." With obvious reference to the accusation that he had prevented the Council by underhand practices, the Pope insists that he himself had clung to the project as long as there remained a spark of hope. Out of consideration for the Germans he had designated Trent for its assembly and had sent his legates there. However, "we came, and there was not a man: we called, and there was none that would hear" (Isa. L, 2). Yet in spite of everything he stands by his plan for a Council; the Council is not dissolved, it is only suspended. But one preliminary condition for its meeting is indispensable—there must be peace. The reader has an impression that he listens to an echo of Alessandro Farnese's unsuccessful peace-legation as he reads the Pope's appeal to the Emperor: "Prepare the way for the Council, make peace!" The brief ends with certain specific demands. The Emperor must refrain from encroaching on the ecclesiastical sphere, from discussing religious questions at the Diet and from disposing of Church property. If peace cannot be brought about by any other means he must accept the arbitration of

<sup>1</sup> *C.T.*, VOL. IV, pp. 362 ff. (27 July).

<sup>2</sup> In my opinion the decisive motive for the brief seems to have been the fear lest the Emperor should take into his own hands not only the ordering of the Church in Germany but the affair of the Council as well; hence the reference to Constantine, cf. *C.T.*, VOL. IV, p. 370, l. 29, and even better in *N.B.*, VOL. I, PT vii, p. 580, with note e, and draft A in *C.T.*, VOL. IV, p. 378, l. 3. This point of view is very much to the fore in Calvin's and Luther's polemical writings.

the Council.<sup>1</sup> The concessions made to the Protestants must be revoked. In the event of the Emperor refusing to comply with these demands he will be sternly dealt with. The careful elaboration of the brief, its tone and its comprehensiveness, as well as its vast array of Biblical and historical parallels, clearly shows that it was meant to be an authoritative statement of the principles which inspired the Pope's attitude towards the imperial policy in respect of religion and a Council. Conscious as he was of his responsibility to the Church, the Pope takes to task, in grave but fatherly terms, the ruler of the first world-wide empire of modern times who still saw himself in the role of a medieval Emperor. The brief lays down fundamental principles, hence it may be set side by side with those weighty pronouncements which were wont to issue from the chancery of the medieval Popes in the course of the struggle between *sacerdotium* and *imperium*. The Pope protests against the injury done to his primatial rights and the threat to the unity of the Church implicit in a purely national solution of the religious controversy and without the concurrence of the Apostolic See. He protests with equal energy against having a General Council forced on him, though he is in favour of it, provided it conforms to the laws of the Church. The brief repeats the watchword: "Peace and Council." The warning brief is therefore in line with the traditional policy of the Papacy, except that it stresses its guiding principles with extraordinary solemnity. But this was only one of its purposes—the purely ecclesiastical one. Whether intentionally or otherwise it had yet another aim—a political one—in that it dealt a heavy blow to the moral authority of the Emperor and to that extent assisted his hard-pressed opponent. However, if such was its purpose the blow missed the mark.

In view of the fact that the Emperor had deprecated the despatch of Morone as peace-legate, a measure which had been decided upon in the consistory of 30 July, the original text of the brief was taken to the imperial court, then in residence at Brussels, at the beginning of October by an official of lower rank, the Chamberlain David Odasio. However, as a result of the intervention of the nuncio Poggio, the document was never presented, for reasons to be discussed presently. The Emperor only learnt its contents from a copy<sup>2</sup>; other copies were

<sup>1</sup> This fresh proposal of arbitration by the Council, which stood but a slender chance of being acted upon, is found not only in draft C (*C.T.*, vol. IV, p. 372, l. 36, but likewise in draft A (*ibid.*, p. 379, l. 43). It was based on the earlier proposal—at least an armistice, then a Council!

<sup>2</sup> Refusal of Morone's legation according to Poggio's report of 25 August, Vat. Arch., Concilio 38, fol. 85<sup>r</sup>: "Per hora non venghi qua, che non potrian riceverlo

distributed by the Bishop of La Cava,<sup>1</sup> who had been despatched to the court of King Ferdinand I on 27 August. The bishop's journey took less time than that of Odasio, hence it was inevitable that the text should become known in Germany before the imperial court became acquainted with it. The Protestants also got hold of it and, owing to an indiscretion, the earlier, sharper and later on disavowed text found its way to Wittenberg by way of Venice. It roused Luther to fury and inspired his last and most virulent pamphlet against the Papacy.<sup>2</sup> Calvin published the brief with sarcastic glosses of his own.<sup>3</sup> The two leaders of Protestantism vied with each other in their attempt to pillory the Pope's efforts for a Council as lies and hypocrisy. One may well wonder which was more offensive—Luther's vulgar abuse or the cutting sarcasm which Calvin, as the better informed of the two, poured on the conduct of Pierluigi Farnese and his sons. Basing themselves

meglio che il R. mo Viseo, ma peggio." On receipt of this information Farnese directed Morone on 8 September to interrupt his journey, which he did, stopping at Lyons on 14 September (Morone to the Emperor, *ibid.*, fol. 88<sup>r</sup>). Besides the monitory brief, Odasio was also the bearer of the briefs of 24 and 25 August (cf. *C.T.*, VOL. IV, p. 364, n.2) addressed to Granvella and Pedro Soto, the Emperor's confessor (the brief to the latter is also in V. Carro, *El Maestro Fr. P. de Soto y las controversias politico-teológicas en el siglo XVI*, Salamanca 1931, VOL. I, p. 362), in which both men were urged to work in the sense of the papal admonition to the Emperor (Raynald, *Annales*, a. 1544, No. 9; Le Plat, VOL. III, p. 347 f.). On Poggio's intervention, see Navagero's report of 7 October, *Z.K.G.*, XLIV (1925), p. 408. Ehses's view based on Massarelli (*C.T.*, VOL. I, p. 163, l. 16) that the original brief of admonition had been presented by Savelli at the beginning of 1545, can hardly be maintained—there is an obvious misreading of Massarelli.

<sup>1</sup> Brief of 27 August 1544 in Raynald, *Annales*, a. 1544, No. 9; Le Plat, VOL. III, p. 248. The contemporary brief on the peace legations of Morone and Grimani (No. 21) was now superfluous. The assertion six months later by some of the German princes at the Diet of Worms, that they had got hold of the brief even before it reached the Emperor (Druffel, *Karl V*, VOL. II, p. 49), may be true, but it does not prove that the Curia deliberately took a step which in our days would be the same as the publication of a diplomatic note before it was handed to the person to whom it was addressed. Druffel's view, VOL. I, pp. 76 ff., 87 f., that Granvella allowed a copy to fall into the hands of the Wittenbergers is untenable.

<sup>2</sup> *L.W.*, VOL. LIV, pp. 206-99, with the introduction, pp. 195-202. The considerations on the Council of which Grisar scarcely took any notice (*Luther*, VOL. III, pp. 322 ff.; Eng. edn., VOL V, pp. 381 ff.) will demand our attention later on. For the illustrations see Grisar-Heege, *Lutherstudien*, VOL. V (Freiburg 1923), pp. 62 ff., VOL. VI (Freiburg 1923), pp. 30 ff.

<sup>3</sup> *Corp. Ref.*, VOL. XXXV, pp. 253-88. On the genesis of Calvin's letter to Myconius, 27 March 1545, see *ibid.*, VOL. XL, p. 56. Calvin takes it for granted that Paul III never wanted a Council: "Qui serio eum (scil. Papam) cogitasse unquam de habendo concilio putat, micam sani cerebri non habet", *ibid.*, VOL. XXXV, p. 279. Of the first Tridentine convocation he says: "Quasi vero vocaverit spe colligendi, ac non potius de industria tempus elegerit, quod esset ab omni pacata consultatione alienissimum. Quum satis compertum haberet, bello distineri duos praecipuos christiani orbis monarchas, . . . concilium se velle simulavit."

on the history of the early Councils, the pamphleteers took it for granted that it was the Emperor's prerogative to convoke a Council, not the Pope's, hence there was no point in the latter's protest if the Emperor made use of his right.

The Emperor declined to answer the brief. As a matter of fact by the time it reached him it had been out-paced by military and political events. An exchange of notes could only thwart his new plans and diminish the authority of both rulers.<sup>1</sup> The brief was out of date because the long-desired peace had come.

During the summer months the Emperor had taken the offensive against France and was actually advancing on Paris. Exhausted and war-weary, Francis I desired peace. In the course of August the Spanish Dominican Gabriel de Guzmán, the confessor of Charles V's sister Queen Eleanor, repeatedly presented himself at the headquarters of the two monarchs. Owing to difficulties in obtaining supplies and the lack of discipline in his army, the Emperor lowered his demands. An agreement on the chief points was arrived at on 6 September and on the 18th peace was concluded at Crépy.<sup>2</sup> The Emperor consented to the marriage of his daughter or one of his nieces with the Duke of Orleans and the cession of the Netherlands or Milan as her dowry. Francis I on his part undertook to restore Savoy, to assist in the war against the Turks, and to make reparation to England, which, for the time being, continued the war. But of far greater consequence than these open conditions, which were never executed owing to the unexpected demise of the Duke of Orleans, was the secret clause of the peace treaty by which Francis I agreed to the Council being opened at Trent, Cambrai or Metz, at a date to be determined by the Emperor. He also undertook to send bishops and theologians to whichever locality should be decided upon.<sup>3</sup>

<sup>1</sup> The Emperor's reply to Odasio in Druffel, *Karl V*, VOL. I, p. 79. The last clause, which Ehses understands to refer to Francis I (*C.T.*, VOL. IV, p. 371, *n.2*), surely refers to Clement VII: "Si cadauno huviesse hecho segun su grado y estado y cualidad lo mismo, no havrian sucedido los inconvenientes en que al presente se halla la christianidad."

<sup>2</sup> The literature on Crépy in Brandi, *Quellen*, pp. 346-51. The original French text of the secret clause, with which Müller was not acquainted (*Excursus*, *Z.K.G.*, XLIV (1925), pp. 411-17), has been published by A. Hasenclever in *Z.K.G.*, XLV (1927), pp. 418 ff.; Italian translation in *C.T.*, VOL. X, p. 262, *n.3*.

<sup>3</sup> The passage about the Council runs as follows: "Et quant au Concille general desmaintenant consentons et accordons, quil se tienne et celebre ou en la cite de Trente, ou en celle de Cambray ou Metz au choix de predit frere et en tel temps, quil advisera, et y enverrons noz procureurs et ambassadeurs et gens doctz et peu d'hommes de bonne vue et zeile pour avec les commis et ambassadeurs de nos dits freres entendre par ensemble et unanimement a la celebration dicelluy concille et de tout ce que sera treuve requis et convenable en traicte."



The treaty of Cr  py thus removed the greatest obstacle to the Council. It was the Emperor who forced open the door that had barred the road to it; it was due to his pressure that Francis I, in the secret clause, abandoned an opposition inspired by political considerations. The fact that the clause was kept secret puts it beyond a doubt that by extorting this one-sided declaration from his partner in the treaty the Emperor wished to forestall the Pope, to remove the pontiff's alleged opposition to a Council on imperial territory and in general to secure for himself the initiative in the question of the Council. He was even then meditating the great plan with which he intended to influence profoundly both the character and the course of the Council.

Until this time Charles V had regarded a Council as the surest road to a peaceable settlement of the German schism. The refusal of the Protestant Estates to attend a Council convoked by the Pope thwarted this hope. There could be no doubt that they would never submit to the decrees of such an assembly; Ratisbon had demonstrated the impossibility of an alternative peaceful solution by means of a mutual understanding. The policy of concessions lay heavily on the Emperor's conscience and was bound to bring him into conflict with the Pope. He accordingly asked himself whether it would not be possible, as a first step, to break the political power of the Protestants, particularly that of the League of Schmalkalden, and so to compel them to send representatives to the Council and to accept its decisions.

For a long time he had not felt strong enough for such an undertaking, but now he thought himself equal to it. He had crushed the Duke of Cleves without the latter's Protestant relations and allies moving a finger to help him. The Elector John Frederick of Saxony, the head of the League, was wholly passive and could easily be kept in check with the help of his ambitious cousin, Duke Maurice of Saxony. The most active member of the League, the Landgrave Philip of Hesse, politically paralysed as he was by his bigamous marriage, was in the Emperor's power. The League of Schmalkalden had lost some of its cohesion and with it some of its strength. Thus it came about that though outwardly Protestantism continued to spread—the Palatinate had recently seceded and the Archbishop of Cologne, Hermann von Wied, was only restrained by his clergy and his Estates from a similar step—its military and political power was no longer what it had been. The great imperial cities which provided it with funds were incensed by the selfish conduct of the princes; moreover, their economic position was extremely vulnerable. The weakness of the German opposition

and the peace of Crépy, which secured his rear, brought to maturity an idea which the Emperor, now at the height of his powers, had long repressed, the idea namely of paving the way for the Council and the return of the dissidents by forcible measures against the Protestants. In this scheme the Council would play an entirely new function. With their military and political power broken, the Protestants would not dare to refuse to attend the assembly and to submit to its decrees. The unity of the Church—the Emperor's supreme aspiration—might yet be restored. This could only be brought about with the Pope's concurrence. The great plan could not be put into effect without the closest co-operation between the two rulers. For these reasons the Emperor refrained from a discussion of the warning brief but took immediate steps to persuade the Pope to revoke the suspension of the Council of Trent.

The pontiff built golden bridges for him and met the monarch half way. When informed of the conclusion of the peace of Crépy, he repressed his annoyance at having been deliberately excluded from the preliminary discussions and congratulated the two monarchs on the result.<sup>1</sup> Nuncios were despatched to both: Sfondrato to the Emperor, Dandino to Francis I. The most important information they had to impart put to shame those who had doubted the sincerity of the Pope's intentions with regard to the Council. In Sfondrato's instructions the Pope declared that the fairest fruit of the peace was the Council. He was determined to revoke its suspension and to hold it without delay. Moreover, so as to put an end to further discussions about the locality, he declared that it would be held at Trent although the peculiar status of that city precluded his personal presence. By this means Paul III hoped to eliminate the danger to the unity of the Church implicit in a partisan solution by a German national Council or a corresponding imperial Diet. One of his conditions, however, was that the religious question should be kept out of the agenda of the future Diet which the Emperor had promised at Speyer.<sup>2</sup>

It is easy to see that the Pope had not departed from the basic line of the warning brief. The speedy convocation of the Council was meant to ward off the peril which his best advisers had on the whole accurately foreseen previous to the suspension. The Pope's

<sup>1</sup> Brief to Francis I, 13 October; to the Emperor, 16 October, Raynald, *Annales*, a. 1544, Nos. 24 and 26; Le Plat, vol. III, p. 249 f.

<sup>2</sup> Sfondrato's instructions dated 27 October, by Ehses, *C.T.*, vol. IV, pp. 380 ff.; those of Dandino are unknown to me; his reports are missing in Vat. Arch., Francia, 2.

action crossed that of the two monarchs. In accordance with the secret clause of Crépy, both Charles V and Francis I informed the nuncios accredited to them of their wish that the Council should be opened forthwith at Trent.<sup>1</sup> In the consistory of 7 November the French envoy in Rome, Georges d'Armagnac, Bishop of Rodez, read a letter from the King to the Pope in which besides a request for pecuniary assistance for the war against England Francis I prayed the pontiff to open the Council at Trent within a period of three months so that the necessary arrangements for a coalition war against Henry VIII might be made there.<sup>2</sup> This linking of the convocation of the Council with a military undertaking against England was a cleverly calculated manoeuvre for it was a pet notion of the Pope to make the Council the starting-point of armed action against the Papacy's most powerful enemy.

The fact that the action by both parties coincided accounts for the rapidity of the decisions that followed. As early as 14 November the consistory unanimously resolved that the General Council should be convoked for 25 March 1545. A consideration of a liturgical kind, namely the fact that in that year the feast of the Annunciation fell in Passion Week, led to a slight alteration of the time-limit of the convocation, with the result that the Bull of Convocation which was read in the consistories of 19 and 22 November, fixed the opening for 15 March—*Laetare* Sunday.

*Laetare Jerusalem*<sup>3</sup>—these words of Isaias (LXVI, 10) taken from the Introit of the Mass of the opening day, are the keynote of the Bull of

<sup>1</sup> The relevant reports of Poggio and Alessandro Guidiccioni—the latter had been in charge of the French nunciature since May 1544—(Pieper, *Zur Entstehungsgeschichte*, p. 103) are not available to me, but the fact is confirmed by Poggio's instructions of 14 November, *C.T.*, VOL. IV, p. 383 f. An *aviso* from Brussels dated 17 October (St. Arch., Modena, Busta 3) reports: "Assolutamente sara concilio col quale si spera rimediar a tutto." Corresponding instructions for Vega dated 16 October in J. L. Villanueva, *Vida literaria* VOL. II (London 1825), p. 409.

<sup>2</sup> The connexion between the English problem and that of the Council does not emerge in the extract in *C.T.*, VOL. IV, p. 328 f., as it does in the complete text in Raynald, *Annales*, a. 1544, No. 28. On 15 November Farnese wrote to Poggio that he should do everything in his power "che la Ces. M.ta sia per volgersi etiam con le forze scoperte alla reductione et al castigo di un tal rebello", Vat. Arch., Spagna, 1A, fol. 94<sup>r</sup>.

<sup>3</sup> Preliminary acts, and text of the Bull in *C.T.*, VOL. IV, pp. 385-8. Of the consistory of 22 November, of which Ehes makes no mention, Carlo Gualteruzzi writes on the same day to Giovanni della Casa (Montepulciano, Bibl. Ricci, 4, fol. 21<sup>v</sup> or): "Alli 12 si fece consistorio dove fu letta la bolla del concilio". According to him it originally began thus: "Tempus est iam nos de somno surgere"; however "ciò fu ripreso, ne videremur hactenus dormivisse"; cf. also Capasso, *Paolo III* VOL. II, pp. 392 ff.

Convocation. In it the Pope expresses his joy that his protracted efforts on behalf of peace and the Council were at length being crowned with success. No obstacles had deterred him from his sacred task; at no time had he given up hope; at no time had he lost sight of the goal. Now the happy day had dawned which promises to restore the unity of Christendom! The Bull goes on to recapitulate the reasons for the suspension, announces its revocation and appoints the fourth Sunday in Lent for the opening. The objects of the assembly are the following: the removal of religious discord, the reform of the Christian people and the liberation of the Christians under the yoke of the Turks. As on former occasions of this kind, bishops and abbots and all persons entitled to take part in the assembly, or under obligation to do so, are exhorted to attend in person. Christian princes are similarly requested to take a personal part in the proceedings, or at least to have themselves represented.

Unlike the Bulls of 1536 and 1542, the Bull *Laetare Jerusalem* was drawn up in great haste; for all that, and again unlike the previous ones, it is of historical importance both on account of the success it achieved and the events in which it resulted. It is nevertheless necessary to guard against the notion that the favourable circumstances to which it owed its origin already bore in themselves the germ of its success. In the present instance also, between the publication of the Bull announcing the opening of the Council and its actual inauguration there occurred a much longer lapse of time than most people had expected.

At first events succeeded each other with unwonted speed. The Bull was published on 30 November by the *cursor* Jean Roillard in front of St Peter's, the Lateran and the Cancelleria. The papal private secretariate drew up the customary covering letters. Thus on 3 December letters were drawn up for the Emperor, the King of Portugal and the Portuguese bishops, the Swiss and the Duke of Bavaria. On the same day the Pope summoned to Rome those cardinals who lived outside the eternal city for a discussion of matters connected with the forthcoming Council.<sup>1</sup> The committee of cardinals for questions connected with the great assembly was reconstructed. Its constitution remained substantially the same as before the conference of Busseto except for the addition of the former legates Parisio, Morone and Pole and that

<sup>1</sup> The relevant volume of the register of briefs is badly damaged (*C.T.*, vol. iv, p. 384, n.1), hence the Roman tradition only enables us to know some of the briefs drawn up at that time, Raynald, *Annales*, a. 1544, No. 30 f.; *Corpo diplomatico Portuguez*, vol. v, p. 318; de Castro, *Portugal*, vol. II, p. 457.

of Carafa, who replaced Badia.<sup>1</sup> On 19 December the Sacred College was reinforced by the creation of thirteen new members. Among them were three Spaniards<sup>2</sup> and four diplomatists who had taken a leading part in the earlier negotiations connected with the Council, namely Truchsess, Sfondrato, Ardinghello and Capodiferro. Finally the Pope took a precautionary measure which, while it had not been overlooked on the occasion of the previous convocation, had nevertheless not been given the same solemnity. By the Bull *Ad prudentis patrisfamilias officium*, also dated 19 November,<sup>3</sup> the Pope secured for the College of Cardinals the exclusive right of electing a successor in the event of his death. He likewise decreed that even if he should die in the locality where the Council was being held, the conclave must be held at Rome or in some strong city of the Papal States, such as Civita Castellana, Orvieto or Perugia. There was to be no repetition of the occurrences at Constance and Basle.

It was less easy, and it took a longer time, to tie up the severed threads between the Curia and the imperial court and to co-ordinate the plans of the two parties. Serious differences remained and it was much too soon to speak of mutual trust, though such a relationship was an essential requisite for the success of the undertaking. Juan de Vega, the imperial envoy, returned to Rome while Poggio, the nuncio at the imperial court, was replaced first (at the beginning of February 1545) by Sfondrato and later on by Verallo, who until then had represented the Curia at the court of King Ferdinand.<sup>4</sup> Quite independently of them, Cardinals Truchsess and Madruzzo also did their best to mediate between the two rulers. While the latter exerted himself in Rome in order to secure help for the Turkish war, the former did so at the Diet of Worms, which had opened on 21 January, in his capacity as imperial

<sup>1</sup> The consistorial acts of 19 November in *C.T.*, VOL. IV, p. 385. Both Grimani and Morone were absent, the former as legate at Piacenza, the latter at Bologna, as we learn from Farnese's letter of 17 November, *ibid.*, p. 384 f., and from Morone's correspondence with the Duke of Ferrara, St. Arch., Modena, Giurisd. eccl., filza 264. On 17 November the Pope had a conversation with the general of the Augustinians, Seripando, whose elevation to the cardinalate was being considered at the time, Calenzio, *Doc. ined.*, p. 185.

<sup>2</sup> The nomination of three Spaniards met the wishes of the Emperor but did not yield the hoped-for result on account of the exclusion of Pacheco which was due to his having been one of the authors of the Pragmatic Sanction, *N.B.*, VOL. I, PT VIII, p. 18.

<sup>3</sup> *C.T.*, VOL. IV, p. 388 f. In 1536 and 1542 a decision had been come to in consistory, but no Bull was drawn up.

<sup>4</sup> In any case Vega's return to Rome and Poggio's recall were of doubtful value for a *rapprochement*. Vega was unpopular with the Farnesi on account of his bluntness, while Poggio was "in grossem gesehen" (highly esteemed) by the Emperor and as "guet bayrisch" he was acceptable to the Catholic action group, Gryn to Duke William, 22 November 1544, Druffel, *Karl V.*, VOL. II, p. 42.

commissary. As to the programme of this Diet, the views of the two parties differed fundamentally. Through Sfondrato the Pope had let it be known that the religious question must on no account be discussed by that assembly. At first he had even refused to appoint a legate on the ground that the Diet was not competent to deal with a subject which must be reserved for the Council.<sup>1</sup> On the other hand the Emperor felt bound by the Recess of Speyer which held out to the Protestants the prospect of an interim reform.<sup>2</sup> The monarch greatly desired the presence of a legate.<sup>3</sup> Though his mind was even then engrossed in his great plan for warlike action against the Protestants, he intended for the present to make at least a show of carrying out the Speyer policy of compromise so as to lull his opponents into a sense of security and thus to secure for himself a surprise victory. In this scheme the Council was allotted a decisive role. The Protestants' refusal to attend would be the pretext for forcible action. Thus his policy was running along a double track: on the one hand he took steps to further the Council<sup>4</sup>; thus on 24 March 1545, through King Ferdinand, he warned the Estates to refer the religious question to the Council,<sup>5</sup> while on the other, in the course of the negotiations, he made a show of continuing the Speyer policy. He reckoned with the possibility of a delay, or even the failure, of the latest convocation, as a result of the Pope's lack of initiative<sup>6</sup>

<sup>1</sup> Verallo's explanations of 15 February 1545 in *N.B.*, VOL. I, PT viii, p. 71, and the brief accrediting Mignanelli (*ibid.*, p. 83) are in keeping with the monitory brief to which the legates also appeal, *C.T.*, VOL. x, p. 7.

<sup>2</sup> The information of vice-chancellor Naves to Gryn, the Bavarian agent, on the likelihood of a reform being granted, which the latter communicated to Duke William in a letter of 24 January is in Druffel, *Karl V*, VOL. II, p. 45; cf. the instructions for the imperial commissaries of the Diet in Lenz, *Staatspapiere*, p. 384.

<sup>3</sup> Truchsess to Farnese, 21 March 1545, Druffel, *Karl V*, VOL. II, pp. 48 ff.

<sup>4</sup> Mendoza's commission as envoy to the Council, *C.T.*, VOL. IV, p. 392 f. On 28 February Verallo reports about directions to the Viceroy of Sicily and Naples to promote attendance at the Council, *N.B.*, VOL. I, PT viii, pp. 8, 80. On 18 March Queen Mary urged the Bishop of Cambrai to attend the assembly, Le Plat, VOL. III, p. 264. That the Spanish government took appropriate steps appears from the replies of the Bishop of Pampeluna and others, *C.T.*, VOL. IV, p. 400, l. 17.

<sup>5</sup> Weiss, *Papiers*, VOL. III, p. 100 f.; *N.B.*, VOL. I, PT viii, p. 86 f. Granvella's counter-manceuvres are described by J. Müller, in *Z.K.G.*, XLIV (1925), pp. 254 ff.

<sup>6</sup> Light is thrown upon the Emperor's remark to his brother that the Pope showed "peu de volonté au remède des affaires publiques" (Druffel, *Karl V*, VOL. II, p. 48) by his letter of 3 April to Vega in which he says that in Germany Protestants and Catholics alike thought "que todo lo que el papa hace por este efeto (viz. the Council) sea fingido", *ibid.*, p. 51. However, the accusation which the Emperor is alleged to have proffered against the Farnesi (that Pierluigi was a "vigliaccio", that the Pope would have to give an account to the Council of the way the money for the Turkish war had been spent) are not sufficiently supported by the Roman *aviso* of 18 March, *N.B.*, VOL. I, PT viii, p. 638.

and France's secret obstruction. Certain facts seemed to lend substance to his suspicions.

In the above-mentioned letter which Francis I had addressed to the Pope in the course of the autumn, the King had underlined his acceptance of a Council in a remarkable manner; he had even made immediate preparations for it by convoking an advisory assembly of theologians.<sup>1</sup> On the other hand he did not hesitate to use the conciliar project as a wedge with which he hoped to split the Anglo-Imperial alliance. In the course of the peace negotiations at Calais, Cardinal du Bellay confidentially informed Paget, the English delegate, of the impending convocation. He was well aware of the effect of such a piece of news on Henry VIII, especially if it was accompanied by a hint that the possibility of armed action against Britain was the real object of the negotiations for an anti-English league now in progress between the Pope, France and the Emperor. By this means it was hoped to bring pressure to bear on Henry so as to render him more accommodating.<sup>2</sup>

Another cause of delay was the slowness, not to say the state of apathy into which the Curia relapsed after the publication of the Bull of Convocation. While the nuncios abroad were busy, as in duty bound, making the Bull known,<sup>3</sup> a hush fell upon Rome in respect to

<sup>1</sup> The invitation to the Sorbonnist Claude d'Espence, dated 15 November 1544 in Le Plat, VOL. III, p. 254. At a later date the imperial ambassador, St Maurice, puts the number at 12 and gives Melun as the place of assembly, *Cal. of St. Pap., Spain*, VOL. VIII, p. 149, No. 82. On 31 December the Florentine envoy, Bernardo de' Medici, informed Duke Cosimo that ten scholars, including the tutor of the Dauphine, had come together in the neighbourhood of Paris in order to "disputare sopra i articoli del concilio, acciochè comparischino resoluti sopra essi ogni volta che il concilio si facessi, che qui non si crede", A. Desjardins, *Négociations*, VOL. III, p. 141. As to the duration of the conference the nuncio Della Casa writes to the legates from Venice on 17 April 1545: "I theologi . . . essendo stati ben 4 mesi insieme ciascun di loro era tornato a casa sua", Montepulciano, Bibl. Ricci, 4, fol. 4<sup>r</sup> or. Della Casa adds that from one of their former fellow-students he had learnt that they were "pieni di queste opinioni nove et reprobe" (viz. conciliarist ideas), *ibid.*, fol. 6<sup>v</sup> (30 April).

<sup>2</sup> Report of the English agents, 18 and 21 October 1544, *Cal. of Letters*, VOL. XIX, ii, p. 260 (Nos. 456 and 470). Henry ordered this answer to be returned: "Quid ad Regiam Majestatem?" (*ibid.*, p. 273).

<sup>3</sup> On 2 March Poggio, now a collector in Spain, wrote from Valladolid that he had had 400 copies of the Bull printed and distributed "perche ognun diceva di non sapere che (il concilio) si farebbe e lo ponevano quasi in dubbio". Transcripts had already been sent from Rome to the metropolitans, *C.T.*, VOL. x, p. 15 f.; see extract in Druffel, *Monumenta Tridentina*, VOL. I (Munich 1884), p. 15 f. Since the documents published by Druffel are now available in a much better textual edition in *C.T.*, VOL. x, and *N.B.*, VOL. I, PT viii, I shall not refer to his edition whenever I use it later. It was a valuable publication at the time in spite of its pronounced partisan spirit.

the Council. The Pope's only action was to inform the bishops resident in Rome, on 3 January, that they must either be ready to set out for Trent by Candlemas Day or state their reasons for not doing so.<sup>1</sup> The Pope seemed in no particular hurry to appoint legates; only half-heartedly did he take the measures which a memorial of Campeggio's had described as indispensable.<sup>2</sup> The cardinals who were to preside at the Council were only appointed on 22 February 1545, that is a bare three weeks before the date fixed for the opening.<sup>3</sup> Cardinals Del Monte, Cervini and Pole were empowered to preside, in such wise that if one of them happened to be absent or to be in any way prevented, the other two were to have full authority; eventually a brief of 6 March gave full powers to each of the three legates. A second Bull, also dated 22 February but kept secret, empowered them to transfer the Council to some other locality should they judge it necessary and either to continue it there or even to dissolve it altogether, and if necessary, to inflict ecclesiastical censures upon the recalcitrant. The Bishop of La Cava resumed his duties as a conciliar commissary, assisted by Antonio Pighetti of Bergamo, one of the Pope's familiars. Both men were instructed to get in touch with Madruzzo who in the meantime had been placated by the announcement of his elevation to the cardinalate. When making this announcement the Pope had also requested him, in a brief couched in the most gracious terms, to make all the necessary preparations.

However, all these measures failed to convince the Emperor of the earnestness of the Pope's intentions with regard to the Council, for similar things had happened both after the Mantuan convocation and after the first Tridentine one. So deep-rooted was Charles V's distrust of the Farnese Pope and his entire family that he put an utterly

<sup>1</sup> Gualteruzzi to Della Casa, 3 January 1545, Montepulciano, Bibl. Ricci, 4, fol. 37<sup>r</sup> or.

<sup>2</sup> "Quae censeat ep. Feltrensis velut praeparatoria quaedam providenda ante inchoationem concilii Tridentini", Rome, Arch. of Gregorian University, 632, pp. 151-6, drawn up after the decision for the convocation but previous to Sanfelice's return from Germany, viz. in November or December 1544. Several of Campeggio's proposals, such as the invitations to the universities of Cologne, Louvain, Paris and Orleans, the immediate putting at the disposal of the poorer members of the Council of a sum of 1000 ducats a month (p. 155), the study of old conciliar acts preserved among the literary remains of Cardinal Aleander (p. 156), were not acted upon even at a later date.

<sup>3</sup> All the documents are in *C.T.*, VOL. IV, pp. 393-7. The Bull of Nomination and the brief were forwarded to the legates on 7 March (*C.T.*, VOL. X, p. 4). At a later date and at Del Monte's request they were redrafted because in the original form the translation or the dissolution of the Council was made to depend on the Council's assent, *C.T.*, VOL. X, p. 7, l. 42; p. 13, l. 28; p. 15, l. 8; p. 35, l. 8.



unwarranted construction on the wholly trivial circumstance that Cardinal Pole remained at Viterbo, his official residence as legate of the Papal States, while his colleagues set out for Trent. That keen promoter of the Council, the Emperor imagined, was being purposely kept back so that the other two, whom he regarded as mere tools of the papal policy, might have a free hand.<sup>1</sup> If he had known that these cardinals were empowered to transfer the Council, his distrust would have been greater still.

On 22 February the legatine cross was handed to Cervini and Del Monte. Thereupon both left the Eternal City, the one on the 23rd, the other on the 24th.<sup>2</sup> By-passing Siena and Florence, Cervini journeyed through Montepulciano, his home-town, and Pontassieve, and reached Bologna on 5 March. After only a day's rest he continued his journey, by-passing both Mantua and Verona so as to reach Trent within the time-limit fixed for the opening. Del Monte followed him one day later, for he was plagued by the gout which he ascribed to the wine of Montepulciano. On 12 March the two legates met at Rovereto. There they were met by Angelo Massarelli, Cervini's secretary, who in company with Gianbattista Palmerio, one of Cervini's familiars, had left the party at Monterosi on 24 February to go ahead in order to make the necessary arrangements for its accommodation at Trent. Cervini was to lodge in the Palazzo Girolodi while Del Monte was to stay at the house of the jurist Queta. Provisions had been bought and everything was ready.

On 13 March the legates made their solemn entry into Trent. Torrential rain restricted the display which usually accompanied such occasions. Cardinal Madruzzo, surrounded by his whole court, came to meet the Pope's representatives at the monastery of the *Crocifisso*, outside the city walls. Shortly after two o'clock the procession got under way and entered through the Porta S. Croce, where a triumphal arch had been erected, until it came to a halt in front of the cathedral, at the portals of which Madruzzo, in his capacity of ordinary of the place, offered the legates a liturgical welcome. This done, everyone hastened to his own quarters. Apart from the Bishop of La Cava there

<sup>1</sup> The Emperor to Vega, 9 April 1545, Druffel, *Karl V*, vol. II, p. 51. Pole's fear of Henry VIII was by no means groundless, as we learn from the Pope's protests against the conduct of the condottiere Ludovico delle Arme and that of the Conte di S. Bonifacio, both of whom were supplied with funds from Venice, *Cal. of St. Pap.*, Venice, vol. v, pp. 135 ff (No. 335); Montepulciano, Bibl. Ricci, 4 (17 April, 25 June, 21 July), Della Casa's reports.

<sup>2</sup> Massarelli's account of his journey, *C.T.*, vol. I, pp. 151-9; Cervini's and Del Monte's letters during their journey, *ibid.*, vol. x, pp. 3 ff., 8 f.

was as yet not a single prelate from any other place at Trent. Tommaso Campeggio only arrived from Rome on the evening of 14 March. It was evident that there could be no question of opening the Council on the appointed date. *Laetare* Sunday went by without any of those present stirring from their residences: it rained in torrents from morning till night. Would there be a repetition of the situation described in the papal brief of admonition: "We came, and there was not a man; we called and there was none that would hear"? The events of the weeks immediately following were to prove that times had changed. The *orbis catholicus* was stirring. At the beginning of March the Pope had charged Cardinals Cupis and Parisio to make all the necessary arrangements for the assembly of the Council.<sup>1</sup> Towards the end of the month the bishops at the Curia and the generals of Orders were admonished to set out for Trent. The committee of cardinals showed great unwillingness to listen to excuses<sup>2</sup>; but they all took their time. Until then, apart from Campeggio, only the Bishops of Belcastro, Bitonto and Bertinoro had actually started. They reached Trent in the last days of March and the first of April.<sup>3</sup> This was also the time when Pole set out for that city, plagued though he was by fear of the snares of Henry VIII.<sup>4</sup> Ludovico Beccadelli, an excellent man and a former secretary of Contarini, was named secretary to the Council after Marcantonio Flaminio, who had been selected for the post, had declined it.<sup>5</sup>

<sup>1</sup> Farnese to the legates, 12 March 1545, *ibid.*, VOL. X, p. 6.

<sup>2</sup> Gualteruzzi to Della Casa, 28 March, Montepulciano, Bibl. Ricci, 4, fol. 63<sup>r</sup>: "Questi prelati hanno ordine di dover andar tutti indifferentemente, et quelli che si scusano sono poco intesi"; *C.T.*, VOL. X, p. 13, l. 18. Seripando was invited by Cardinal Cupis on 27 March (*C.T.*, VOL. II, p. 406) but he only set out on 19 April. For his itinerary see *Analecta Augustiniana*, IX (1921), p. 299. He reached Trent on 19 May, at the same time as the general of the Carmelites Audet (*C.T.*, VOL. I, p. 190 f.). Of the Roman prelates Gualteruzzi writes on 29 April (Montepulciano, Bibl. Ricci 4, fol. 71<sup>r</sup>) "Questi prelati si sollicitano di mettersi in ordine, pur vanno anchor molto adagio."

<sup>3</sup> Bitonto arrived on 24 March, *C.T.*, VOL. I, p. 162, l. 21; Bertinoro on 4 April, *ibid.*, VOL. I, p. 168, l. 36; Belcastro on 10 April, *ibid.*, VOL. I, p. 172, l. 25.

<sup>4</sup> Del Monte and Cervini repeatedly urged Pole to make a start and to overcome his fears of an attempt on his life, *Epp. Poli*, ed. Quirini, VOL. IV, pp. 184 ff. For reasons of security he was to travel with Farnese, but the plan was abandoned because Pole was not prepared to keep pace with the latter "come quello che corre malvolontieri", Gualteruzzi on 18 April, Montepulciano, Bibl. Ricci, 4, fol. 69<sup>r</sup>. On 6 April Pole was still at Viterbo, G. Signorelli, *Viterbo nella storia della Chiesa*, VOL. II, ii (Viterbo 1940), p. 165; on 28 April he was at Bologna and on 4 May he reached Trent, *C.T.*, VOL. I, p. 183.

<sup>5</sup> Gualteruzzi on 18 April: "Il nostro M. Ludovico Beccadelli e stato eletto secretario del concilio et gli e stato Triphone per scrivano. Il Flaminio non ha voluto accettare che sogliono esser dui et alcuna volta quattro", cf. *C.T.*, VOL. X, p. 36; Beccadelli reached Trent on 24 April, *ibid.*, VOL. I, p. 178.

Some bishops of northern Italy also made preparations for the journey. The auxiliary of Vicenza, Ludovico Chierigati, a brother of the nuncio who had served in Germany under Adrian VI, apologised through a representative for his temporary absence. The auxiliary of Brescia, Ferretti, promised on 15 April that he would make an early start.<sup>1</sup> For all that it was not until May that the repeated exhortations of the legates for the immediate despatch to Trent of Italian prelates, theologians and canonists began to yield visible results.<sup>2</sup>

However, the first envoy to the Council had arrived before that date. Accompanied by his secretary Domenico Gaztelù, Diego Hurtado de Mendoza came over from Venice, and since the legates, like their predecessors in 1543, declined his request for a reception in the cathedral, he delivered his inaugural address as imperial ambassador in Del Monte's reception-room on 26 March.<sup>3</sup> He made excuses for his own belated arrival and prayed that for the time being no canonical proceedings should be instituted against those Spanish bishops who had not yet come to the Council. In their oral reply, and subsequently in their written answer of 27 March, the legates made no reference to this point, but they seized the opportunity to stress the papal demand that, in view of the convocation of the Council, the Diet of Worms should remove the religious question from its agenda. Shortly after Easter Francesco di Castelalto, the King's captain at Trent, and the jurist Antonio Queta presented themselves as envoys of Ferdinand I, though they produced no credentials to that effect.<sup>4</sup> Much more important than the presence of these envoys would have been that of the bishops. On this point a serious cleavage of opinion soon made itself felt.

By the terms of the Bull of Convocation all bishops and abbots

<sup>1</sup> *C.T.*, VOL. I, p. 161, l. 24; *ibid.*, VOL. X, p. 34, n.5. From a letter of Farnese from Bologna the legates learnt that the Bishop of Fano was on his way to Trent, *ibid.*, VOL. X, p. 54, n.1.

<sup>2</sup> *C.T.*, VOL. X, p. 24, l. 33. There was not a little exaggeration when Maffeo wrote to Nausea on 9 May: "Confluunt eo iam Italiae episcopi . . . nonnulli ex Gallia iam advenerunt."

<sup>3</sup> Gaztelù reached Trent on 17 March, Mendoza on the 23rd, *C.T.*, VOL. I, pp. 160 ff. The notaries' instruments on the reception in *C.T.*, VOL. IV, pp. 399-402; the legates' report, *ibid.*, VOL. X, pp. 17 ff. Venice's criticism of the attitude of the legates, *ibid.*, VOL. IV, p. 401, l. 35. Della Casa's remarks to the legates, 30 April (Montepulciano, Bibl. Ricci, 4, fol. 6<sup>v</sup>) must be traced back to Mendoza himself. On 5 May the latter was back at Venice, on the 6th he delivered a message of the Emperor to the senate, Montepulciano, Bibl. Ricci, 4, fol. 7<sup>r</sup> (8 May).

<sup>4</sup> *C.T.*, VOL. I, p. 171; according to the legates' report, *ibid.*, VOL. X, p. 17, Ferdinand informed them that later on he would send "persone più idonee et instrutte".

were bound to attend the Council. In spite of this fact the Emperor and his son Philip had only requested seven prelates out of the entire Spanish hierarchy, together with a number of jurists and theologians, to prepare for an early departure for Trent.<sup>1</sup> From among the many bishops of the kingdom of Naples the viceroy had only singled out four prelates for this duty, whilst ordering the others to give these four their powers of attorney.<sup>2</sup> The basic argument against this artificial restriction of the attendance at the Council was the principle that the bishops' authority to bear witness to the faith and to establish ecclesiastical discipline at a Council is ultimately rooted in the episcopal order and is therefore vested in their own persons. They are not free to delegate this authority at their own good pleasure, as Canon Law permits in respect of other juridical matters. Such a policy had nevertheless been followed at the reform Councils, especially at the Council of Basle, which in practice had been little more than a gathering of deputies. It was precisely this recollection that threw light on the possible consequences of the present situation. If the viceroy's arbitrary action was acquiesced in, not only was the normal representation of the kingdom of Naples at the Council in jeopardy, but there was a danger that the chosen prelates—all of them reliable partisans of the Emperor—would claim as many votes as they had powers of attorney, that is, over a hundred. They would thus constitute a majority in the Council. If the Spaniards were also possessed of powers of attorney for the

<sup>1</sup> The Spanish Privy Council had proposed to send five or six bishops, *Cal. of St. Pap., Spain*, VOL. VII, p. 494 f. (No. 260). According to Poggio the list submitted to it included the names of the Cardinals of Compostella and Coria and the Bishops of Jaén, Astorga, Malaga, Huesca and Lérida (*C.T.*, VOL. X, p. 16). The acceptance of Jaén and Lérida, 13 March, in Ferrandis-Bordonau, *El Concilio de Trento*, pp. 27 ff.; *ibid.*, p. 36 f. Compostella's change of mind, 20 March; Pacheco's excuses for delaying his departure, 7 May, *ibid.*, p. 39; the jurists Vargas, Velasco and Quintana signified their acceptance, *ibid.*, pp. 32, 35, 37; Domingo Soto accepted on 19 March, *ibid.*, p. 33, but Francisco de Vitoria declined, *ibid.*, p. 31.

<sup>2</sup> Pedro de Toledo's ordinance of 27 March for powers of attorney to be made out for the Bishops of Castellamare, Gaeta, San Marco and Lanciano in *C.T.*, VOL. X, p. 36, n.1. In mid-April the Cappellano Maggiore called together all the bishops then at Naples and repeated the viceroy's command. He met with unanimous opposition, *ibid.*, p. 69. On 20 April the Bishop of Capaccio was nominated in the place of the Bishop of Gaeta, who had been taken ill, *C.T.*, VOL. IV, p. 406 f. These powers were not to be made out for the whole duration of the Council but only "durante nostra absentia". The Pope had his suspicions because "tutti 4 delli riservati a S.M.tà" and were therefore nominees of the Emperor, Gualteruzzi on 11 April, Montepulciano, Bibl. Ricci, 4, fol. 67". In the duchy of Milan the viceroy left the nomination of the prelates who were to repair to the Council to the bishops, *C.T.*, VOL. X, p. 33, l. 27. There is nothing to show that he followed the precedent set by the viceroy of Naples.

bishops who had remained at home,<sup>1</sup> the imperial influence would be increased to an alarming degree.

To forestall such a development the Pope, not content with counter-proposals through his nuncios, intervened in person and applied an effective brake. By the Bull *Decet nos* of 17 April he forbade the nomination of representatives to the Council without adequate reasons and once again reminded the bishops in pressing terms of their duty to attend in person.<sup>2</sup> By a brief of 25 April he summoned the viceroy, Pedro de Toledo, not only to recall his ordinance but to do his best to persuade the bishops of the realm to take a personal part in the Council. Both the Emperor and the viceroy gave way: thus this danger to the attendance at the Council was averted.<sup>3</sup>

Representatives from other countries were slow in coming. The bishops of the Empire were temporarily detained at the Diet of Worms.<sup>4</sup>

<sup>1</sup> Thomas de Villanueva's letter of 20 March to Prince Philip shows that the bishops who remained in Spain were ordered to give powers of attorney to the Emperor's nominees, Ferrandis-Bordonau, *El Concilio de Trento*, p. 34 f. Further evidence is to be found in many letters of the period, *C.T.*, VOL. XI, p. 3 f.

<sup>2</sup> *C.T.*, VOL. IV, p. 404. The nomination of a proxy is only permitted "ad se in eodem concilio excusandum et de eorum legitimo impedimento fidem legitimam faciendam". From Blosius's instructions, *ibid.*, p. 407 f., we are able to infer the contents of the brief; for the canonical justification, cf. Campeggio, *C.T.*, VOL. X, p. 416 f. The conciliar legates thought the Bull was too exacting, they accordingly resisted its publication, *ibid.*, p. 81, but it was too late, *ibid.*, p. 87, n.4. Diego de Mendoza saw in it nothing but a means for keeping the prelates from beyond the Alps in a minority, *C.T.*, VOL. XI, p. xxxvii.

<sup>3</sup> Pedro de Toledo was exceedingly annoyed by the brief and revenged himself by delaying the permit for the transport of Greek wines for the papal household, *C.T.*, VOL. X, p. 87, n.3, though he ended by allowing the four prelates to proceed to Trent without powers of attorney. They reached Trent at the beginning of June, *C.T.*, VOL. I, p. 198; VOL. X, p. 118. There is information from Spain that as from April all the prelates had been mobilised, e.g. Palencia and Valencia, Ferrandis-Bordonau, *El Concilio de Trento*, p. 41; L. Fullana, "Por que Santo Tomás de Villanueva no assistió al concilio de Trento", in *Verdad y Vida*, III (1945), pp. 217-25. On the summons to the Benedictine Malvenda, see *C.T.*, VOL. IV, p. 434, and R. Angé in *Analecta Montserratensia*, VII (1928), pp. 303-07.

<sup>4</sup> Mignanelli repeatedly approves this excuse of the German bishops, *N.B.*, VOL. I, PT viii, p. 699; *C.T.*, VOL. X, p. 41, l. 43. It is found in the mandate of the Bishop of Hildesheim, 12 January, *C.T.*, VOL. IV, pp. 389 ff. (with the names of the following proxies, viz. Latorff, Hoyer, Rosin and Marsaner); the excuse of the Bishop of Cambrai in *C.T.*, VOL. IV, p. 403, VOL. X, p. 32 f. That the latter made serious preparations we learn from the directions he gave to his auxiliary on 26 March, Le Plat, VOL. III, pp. 265 ff., and from the latter's circular to the deans, *ibid.*, p. 271 f. The Bishop of Eichstätt designated Cochlaeus as his proxy as the latter informed Camillo Capilupi on 25 April. He was to be assisted by the abbot of a near-by monastery, but the two men decided not to set out until they were assured of the arrival of bishops from Spain and France by a messenger whom they had despatched to Trent, G. Kupke in *Q.F.*, III (1900), pp. 137-41. Cochlaeus wrote to Cervini in this sense on 26 April, *Z.K.G.*, XVIII (1897), p. 457.

As for the bishops of his hereditary states, King Ferdinand said that little was to be expected from them<sup>1</sup>: the Turkish peril and the financial effort to avert it swallowed their resources. So far not one French prelate had put in an appearance either at Vicenza or at Trent, but on 12 April the legates were surprised by the simultaneous arrival of two of them in the persons of the abbots of Cîteaux and La Boussière.<sup>2</sup> True, their immediate intention was to go to Rome, where they wished to lodge a protest against the excessive ease with which privileges were granted to Cistercian monasteries as well as to individual monks. It was actually on the plea of such privileges that they had been refused hospitality in two Milanese houses. There was indeed a prospect of a wider French representation, but so far it had not materialised. Francis I had designated several French bishops and scholars for the Council, but their departure depended on the result of the Diet of Worms and the Protestants' reaction to the invitation to the Council.<sup>3</sup> The legates accordingly endeavoured to speed their journey through Grignan, the French envoy at Worms, but only by the end of June did it become known that six bishops—among them Cardinal Lenoncourt—twelve theologians and six jurists had been ordered by the King to set out for Trent.<sup>4</sup>

On the basis of this information the prospects for the success of the assembly were, on the whole, substantially better than on the occasion of the earlier attempts. In the first days of April a bare half-dozen bishops were actually present at Trent. The question had to be faced whether so small an attendance justified the opening of the Council. On 24 March the legates had been instructed by Cardinal Farnese to delay the opening until after Easter (5 April), that is, until the nuncio Mignanelli's first reports from Worms should be available.<sup>5</sup> These

<sup>1</sup> The Bishop of Breslau, who in his capacity as a territorial captain was the last feeble support of Catholicism in Silesia, also named Cochlaeus his proxy, *Archiv für schlesische Kirchengeschichte*, I (1936), p. 64, and the Bishop's letter to Nausea, 27 January 1546, *Epp. misc. ad Nauseam*, p. 388 f. This letter I overlooked. As regards Austria, Nausea was without resources and the abbots were hard pressed by the Turkish war, *C.T.*, VOL. X, p. 25 f.

<sup>2</sup> *C.T.*, VOL. I, p. 173; VOL. IV, p. 403 f.

<sup>3</sup> The reports of St Maurice, the imperial ambassador to France, to Cobos, dated 31 March and 7 May 1545, in *Cal. of St. Pap., Spain*, VOL. VIII, pp. 78, 101 (Nos. 36 and 49); the nuncio Alessandro Guidiccioni on 29 April, *C.T.*, VOL. IV, p. 412.

<sup>4</sup> The legates to Mignanelli on 10 May 1545, *C.T.*, VOL. X, p. 75; *aviso* of 22 May, *C.T.*, VOL. X, p. 127; St Maurice on 29 June, *Cal. of St. Pap., Spain*, VOL. VIII, p. 149 (No. 82).

<sup>5</sup> *C.T.*, VOL. X, p. 15 (24 March); on Mignanelli's passage through Trent, 23-25 March, *ibid.*, VOL. I, p. 162 f.

reports gave no clear picture of the situation. The nuncio hesitated to declare himself definitely either for or against the opening. In the end he came to the conclusion that it would be better to wait for a larger attendance and for developments at the Diet.<sup>1</sup> Only in one eventuality were the legates given a clear direction by the Pope. On 11 April they were told that as soon as the assembly at Worms began to discuss the religious question, the Council was to be opened at once, regardless of the number of those present.<sup>2</sup>

However, the legates felt that the Pope's decision failed to take into account the situation created by the imperial Proposition of 24 March as well as the dignity of the Apostolic See. In his Proposition the Emperor had put the question of assistance for the Turkish war at the head of the agenda. He had also suggested that the discussion of Church reform, on which the Protestants insisted, should be held over until the closing stages of the Diet when the course of the Council would show whether there was any prospect of real reform. Should none be in sight by the end of the Diet, the Emperor would make arrangements for another Diet, for the discussion of the reform. If the Council was not opened, the Emperor would have a plausible motive for continuing the Speyer policy. It was also to be expected that the Protestants would not be prepared to concur in a war against the Turks unless he gave them a solemn guarantee, in due legal form, that their refusal to attend the Council would not be visited upon them. Such a declaration would have rendered it impossible for the imperial authority to give effect later on to the decisions of the Council.

Of even greater weight was another consideration which the legates set down in a strictly confidential letter exclusively intended for the Pope's eyes. Their suspicions about the Emperor's intentions with regard to the Council were not less than the latter's misgivings about the Pope's determination to hold it. In the legates' opinion the purpose of the Emperor's preparations for the Council was to make a show of zeal before the world for the cause of the Council so as to put the Pope in the wrong. The Pope should forestall the Emperor and act independently. They accordingly proposed that the Council should be opened at once, before the Emperor's arrival at Worms. If this was done, no one would be able to say that the Pope had only resolved to act under pressure from the Emperor.<sup>3</sup>

The legates' proposal was prompted by a very natural desire to put an end to the painful uncertainty in which they found themselves.

<sup>1</sup> *C.T.*, VOL. X, pp. 28, 41.

<sup>2</sup> *Ibid.*, p. 35.

<sup>3</sup> *Ibid.*, pp. 44 ff.



POPE PAUL III

*After the painting by Titian, in the Pinacoteca Nazionale, Naples,  
painted about 1543*



However, by the time their suggestion reached Rome it had been nullified by a piece of information which had come to their knowledge two days before their letter was written, but the import of which they had failed to grasp and, indeed, could not have grasped. This was that in his letter of 12 April Cardinal Farnese had informed them that the Pope had decided that he should go as legate to Worms, where the Emperor's arrival from the Netherlands was expected at this very time.<sup>1</sup>

This information was somewhat surprising. Up to this time the Pope had repeatedly and emphatically refused to send a representative to Worms. Now he suddenly decided to despatch one. This change of mind was due not so much to Mignanelli's reports about the danger of the religious question being discussed and the Council being circumvented,<sup>2</sup> as to certain hints concerning the Emperor's ulterior plans which Cardinal Truchsess passed on to Rome through his secretary Annibale.<sup>3</sup> It was probably in this way that the Pope got his first, though as yet incomplete insight into the Emperor's great plan. He saw at once that it completely altered the political situation. Should the Emperor at length venture upon an enterprise which Cardinal Campeggio had regarded as inevitable fifteen years earlier, namely an attack on the Schmalkaldic League—that state within a state—he would require the Pope's assistance on account of his chronic financial straits. In this way the pontiff rose from the equivocal position into which he had been manœuvred by the Peace of Crépy to the role of a courted

<sup>1</sup> *Ibid.*, p. 37.

<sup>2</sup> Mignanelli's first report from Worms dated 4 April, in *C.T.*, VOL. X, pp. 21 ff. *N.B.*, VOL. I, PT viii, pp. 89-93, cannot possibly have influenced, as Friedensburg assumes (*ibid.*, p. 28), the decision to send Farnese. This must have been arrived at between 6 and 12 April. Neither this report, nor the next of 6 April (*C.T.*, VOL. X, p. 25 f.), contained any disquieting information; in fact, as late as 12 April Verallio sets the Curia at rest with regard to the attitude of the Catholic princes, *C.T.*, VOL. X, p. 38. Only in his later despatches, especially in that of 20 April, did Mignanelli become more insistent, obviously under pressure from King Ferdinand.

<sup>3</sup> Farnese to the legates on 12 April, *C.T.*, VOL. X, p. 37. I do not think that Cardinal Truchsess's letter of 21 March, Druffel, *Karl V*, VOL. II, pp. 8 ff., can have contained all the information Annibale Bellagais was charged to take to Rome. Truchsess may have left Worms before 21 March since on the evening of the 24th he was at Trent, *C.T.*, VOL. I, p. 163; on the other hand the Pope's action at the consistory of 13 April, *N.B.*, VOL. I, PT viii, p. 106, and his hesitation on the question of the opening of the Council, show that there can only have been hints rather than positive information. This view agrees with the legates' statement that Cardinal Truchsess's action was "nata e proceduta de più alto". On the much-discussed mission of Flaminio Savelli to the imperial court (Müller in *Z.K.G.*, XLIV (1925), pp. 408 ff.) I have no new information, but the possibility remains that he too may have imparted information of the same kind as above.

ally. If the power of the Protestants was broken, the Council lost for him one of its most threatening aspects. Even more important was the fact that a close agreement between Pope and Emperor promised to dispel the atmosphere of mutual distrust in which Mignanelli—quite accurately—saw the chief obstacle to the success of the Council.<sup>1</sup>

Cardinal Farnese left Rome on 17 April for Trent, where his arrival was awaited with an anxiety which it is easy to understand. The splendour of his ceremonial entry into the city of the Council completely eclipsed that of the legates.<sup>2</sup> Del Monte, Cervini and Madruzzo went out to meet him at Riva, on Lake Garda. On 25 April Farnese made his solemn entry into Trent. All the bishops present, the imperial ambassador Mendoza and the leading members of the local nobility took part in the procession, together with the numerous suite of the papal nephew, making in all two hundred and fifty persons on horseback. Mortars thundered a welcome from Dos Trento, from the tower of the Adige bridge and from the city tower near the cathedral. On the following day, a Sunday, Madruzzo gave a splendid banquet in the castle, and on the Monday he personally conducted his guest through the city. The rest of the time was taken up by discussions. Farnese had long conferences with Cervini alone and afterwards with the two legates, when Madruzzo and Mendoza were also present. The fact that the imperial representatives took part in these conversations was a symptom of the change in papal policy that was preparing, but how radical the change was appeared only on the day of Farnese's departure.

The Pope, by nature cautious and inclined to be suspicious, had been so impressed by the considerations submitted by the legates that without any more ado, on 23 April, he fixed the opening of the Council for 3 May, feast of the Invention of the Holy Cross.<sup>3</sup> The bearer of these instructions reached Trent on the morning of 28 April, at the very moment when Farnese, booted and spurred, was about to continue his journey. The legates hastened at once to the castle to examine the new situation with him. The result was that Farnese took full responsibility for putting off the opening of the Council until he should have seen the Emperor at Worms.<sup>4</sup>

<sup>1</sup> *C.T.*, VOL. X, p. 41, ll. 19 and 48.

<sup>2</sup> *Ibid.*, VOL. I, pp. 178 ff.; VOL. X, p. 44. Report on the journey, *N.B.*, VOL. I PT viii, pp. 106 ff., 119 ff., in between *C.T.*, VOL. X, p. 54, *n.1*.

<sup>3</sup> *C.T.*, VOL. X, p. 53, repeated on 27 April, VOL. X, p. 56 f.

<sup>4</sup> In their report of 28 April, *C.T.*, VOL. X, pp. 60 ff., the legates also assume responsibility. However, Massarelli's version is obviously accurate (*C.T.*, VOL. I, p. 180); it does not conflict with Cervini's memorial which the latter entrusted to Farnese, *C.T.*, VOL. X, p. 55 f.

The cardinal was unwilling to compromise in advance the success of his mission. From the reports of the nuncios he had learnt that the court was "like a land flowing with milk and honey". Was this the moment to provoke fresh bitterness by inaugurating the Council without previous announcement? It was certain that the Emperor would not reach Worms before the middle of May. This meant the postponement of a decision concerning the discussion of the religious question. Thus the legates' strongest objections to the postponement of the inauguration lost some of their force. Moreover, Farnese had received fresh reports from Worms which put him in a very hopeful mood.<sup>1</sup> He was a good deal more optimistic than the Pope about his chances at the imperial court.

As a matter of fact his reception by the Emperor surpassed all his expectations. Every effort was evidently being made to prevent an impression that the court interpreted the arrival of the legate as a capitulation by the Curia to the victorious monarch. Old accounts were apparently wiped out, a new chapter was opening. Only now was the cardinal fully enlightened about the Emperor's great plan and consequently able to gauge the full import of his mission. If it proved completely successful—if it marked the beginning of a sincere collaboration between Pope and Emperor—there was no cause for anxiety about a successful Council.

However, for the time being the decision to put off the opening was maintained. The Pope gave his approval to the steps taken by Farnese in conjunction with the legates and countermanded a service of intercession for which arrangements had been made.<sup>2</sup> On the other hand the legates were not blind to the fact that a continuation of a passive waiting policy could not fail to affect adversely those who had already come to the Council. Accordingly on 3 May, with a view to giving them information as well as occupation, they summoned the prelates, who of late had been arriving in increasing numbers<sup>3</sup> to the great hall of the Palazzo Girolidi. After explaining in general terms why

<sup>1</sup> Cardinal Truchsess's letter is not in, *N.B.*, VOL. I, PT viii, p. 121, but on 20 and 22 April Mignanelli repeatedly spoke of the "nota confidentia" between the two heads, *C.T.*, VOL. X, p. 49, l. 8; p. 51, l. 13. At the moment of leaving Rome Farnese was still very uncertain about his reception at court, *N.B.*, VOL. I, PT viii, p. 639.

<sup>2</sup> *C.T.*, VOL. X, p. 70 f.

<sup>3</sup> The following arrivals are reported: on 24 April the Bishop of Mallorca; on the 28th the Bishop of Accia; on 2 May the Bishop of Piacenza; on 3 May the Bishops of Pesaro and Cadiz—the latter was also an Italian, *C.T.*, VOL. I, pp. 178, 180, 182. On 25 April Della Casa informed the legates of the impending arrival of the Archbishop of Corfu, Montepulciano, Bibl. Ricci, 4, fol. 6<sup>r</sup>.

it had been found necessary to put off the opening, they passed on to questions of ceremonial, the decoration of the cathedral choir and the liturgical vestments to be worn at the conciliar sessions.<sup>1</sup> A *questionnaire* on these matters was also submitted to the papal master of ceremonies.<sup>2</sup>

Prelates continued to arrive from Italy during the ensuing weeks, so that on Whitsun Eve, 23 May, seventeen bishops and five generals of Orders were present at the liturgical function of the day.<sup>3</sup> But their state of mind was anything but optimistic. The first question of every fresh arrival was: "When will the Council be opened?" No one knew the answer, not even the legates. "Even if we open the Council," Tommaso Campeggio observed, "it will not be easy to convince the prelates that it will run its normal course: there are too few of them for regular discussions. Better no decrees than invalid ones!"<sup>4</sup> The feast of the Ascension and that of Pentecost went by, though both days would have been most suitable for the opening, without the decisive word having come from Farnese. At last, on 25 May, a courtier arrived from Worms, but only to announce yet another heavy disappointment.<sup>5</sup>

For reasons of security Farnese had by-passed Protestant Württemberg and had reached Worms on 17 May, one day after the Emperor's arrival. In his audience on 18 May he at once broached the subject of the inauguration of the Council. The evident hesitation with which Charles V approached the matter was accounted for—as was shown by the subsequent negotiations with Granvella—by the Emperor's

<sup>1</sup> *C.T.*, VOL. I, p. 183; VOL. IV, p. 413; VOL. X, pp. 63 f., 72 f. The question of the seating was not without political significance. Thus on Easter Sunday Mendoza demanded a place in the choir immediately behind the legates and before all the cardinals and other prelates. The legates refused to comply with the demand and referred him to the place of the imperial ambassador in the *capella papale* while the masters of ceremonies described the request as one that could not even be discussed, *C.T.*, VOL. I, pp. 167 ff.; VOL. IV, pp. 418, 421. Another worry for the legates was the claim (supported by Campeggio, *C.T.*, VOL. I, pp. 414-17) of the German prince-bishops to precedence over all the other bishops on the plea of their rank as Electors, dukes or princes, *C.T.*, VOL. X, p. 64. Their pretension was also rejected by the Pope, *C.T.*, VOL. IV, p. 418, l. 25.

<sup>2</sup> *C.T.*, VOL. IV, p. 419.

<sup>3</sup> *C.T.*, VOL. I, p. 192. The only non-Italians were the Archbishop of Armagh and the Bishop of Worcester. Helding was not present because he had no vestments, *C.T.*, VOL. X, p. 88 f.

<sup>4</sup> *C.T.*, VOL. IV, p. 414, ll. 25 and 31; also VOL. X, p. 80.

<sup>5</sup> Farnese's letter from Worms, 22 May, *C.T.*, VOL. X, pp. 91-6. On his letter to the Pope which he instructed Cervini to keep back for the time being, Friedensburg observes, *N.B.*, VOL. I, PT viii, p. 164, n.1, that he continued to misjudge the situation, hence Dandino did his best to render him innocuous. On the whole subject, see J. Müller, in *Z.K.G.*, XLIV (1925), pp. 338 ff.

desire to put off the opening until after the Diet because there was reason to fear that the Protestants would withdraw from it and start warlike preparations. Granvella obviously exaggerated the danger that threatened from that quarter in order not to upset the progress of the negotiations about their contribution to the Turkish war. For the time being the Emperor was unwilling to commit himself to a definite policy. The opening of the Council would force him to show his hand prematurely and so compromise the success of his great plan.

This fresh postponement was bound to jeopardise the actual assembly of the Council, for the longer the opening was delayed, the stronger became the doubts about its successful realisation, and in the eyes of the world the culprit would be the Pope. It was comparatively easy, from the ecclesiastical point of view, to refute the Emperor's arguments,<sup>1</sup> but impossible to act in opposition to his wishes. What kind of Council would that be at which none of his bishops were present? Against their will and under protest the legates bowed to the imperial dictate. Depression was universal when, on 31 May, they informed the members of the Council of the nature of the instructions they had received.<sup>2</sup> Two days later, when Farnese, accompanied by a small suite, touched Trent on his return journey from Worms, they were at last initiated into the complex scheme of which the decision which hurt them so profoundly was a part. Only now did they learn of the big things that were preparing in Germany. War against Schmalkalden was decided while an offensive alliance between Pope and Emperor was in the making.<sup>3</sup> Naturally enough, so important a piece of information could not be divulged since the success of the undertaking depended on the secrecy of the preliminary negotiations. To the twenty prelates then present at Trent the legates could only

<sup>1</sup> *C.T.*, VOL. X, p. 99, ll. 11 and 29; p. 102, l. 13. Reports were coming in at this very time to the effect that the Turks would undertake no large-scale offensive that year, *C.T.*, VOL. I, p. 195. Shortly after this the imperial secretary Veltwyck visited the Porte for the purpose of negotiations.

<sup>2</sup> "Quod licet omnes grave ferrent", *C.T.*, VOL. IV, p. 423, l. 6.

<sup>3</sup> The nuncios' notes on the communications made by the Emperor to Farnese as well as a Spanish memorial for Vega on the subject are not known (*N.B.*, VOL. I, PT viii, p. 171, n.1), but from certain remarks, e.g. that after his conversations with the Emperor and Granvella Farnese showed signs of great satisfaction (*N.B.*, VOL. I, PT viii, p. 630), the Italian diplomatists at Worms, such as Capilupi, drew some accurate conclusions, as they did from some hints thrown out by Cardinal Truchsess (*ibid.*, p. 632). Navagero was given some information (*ibid.*, p. 660 f.), but the Florentine envoy was put off by Granvella with generalities, though he too somehow succeeded in learning something about the "segreta intelligentia", *ibid.*, pp. 613 f., 616.

communicate the broad outlines of the scheme in vague and general terms.<sup>1</sup>

In spite of these precautions, partly as a result of this very communication and partly through indiscretions on the part of Farnese's companions, so much of the true facts seeped through that voices made themselves heard among the prelates insisting on an alteration in the role assigned to them.

One of them, probably the Bishop of Belcastro, suggested that the Council should be suspended and in its place an international reform committee set up in Rome, while to save appearances, and for the sole purpose of deluding the Protestants, a religious debate would be arranged in Germany between Catholic and Protestant divines.<sup>2</sup> The proposal was not a novel one. If it was adopted, the projected Council was doomed to go up in smoke. More deserving of consideration was the suggestion of Pietro Bertano, Bishop of Fano.<sup>3</sup> This prelate, whose sympathies were with the imperial party, uttered a grave warning against opening the Council at Trent. There was a danger, he urged, that it would drag on for years and slip from the Pope's control, especially if contrary to expectation the Protestants should decide to send their representatives. In that event even a translation, which he had regarded at one time as possible and had even advocated, could not be easily effected. On the other hand the bishop was convinced that the interests of Christendom would only be served by a Council personally presided over by the Pope. He accordingly pressed the pontiff to summon the prelates actually at Trent to Rome for the purpose of initiating a "reform of Christian life" as well as to clarify the controverted doctrines by means of a new formulary of the faith. At the same time the Pope should have himself represented at the conference which the Emperor had promised to hold in Germany and thereby recognise it as a substitute for a Council.

However the political inspiration of these proposals may have differed, they were prompted by a common motive, none other in fact

<sup>1</sup> Massarelli's *Diarium* evidently contains all he heard, *C.T.*, VOL. I, p. 199, hence undoubtedly more than the legates allowed the bishops to know. On the other hand his report in the acts, *C.T.*, VOL. IV, p. 423, l. 17, is far too concise. On 11 July Diruta, a Friar Minor, openly spoke of the impending war against the Protestants, *C.T.*, VOL. XI, p. 9.

<sup>2</sup> The letter of 2 June which Buschbell originally ascribed to the Bishop of Fano, and later, on more solid grounds, to the Bishop of Belcastro, is in *C.T.*, VOL. X, pp. 108 ff. The latter repeated the same proposal on 13 August, *ibid.*, p. 172 f.

<sup>3</sup> *C.T.*, VOL. X, pp. 159 ff. (25 July). I only take into account Bertano's earlier letter of 3 July (*ibid.*, pp. 132 ff.) in so far as it diverges from the later one.

than that of once again preventing a General Council by procuring the postponement of its opening. Such a step would have meant an abrupt break in the course of a papal policy whose beginning was so recent. The resumption of a policy of reunion, even though not seriously meant, would give rise to grave misgivings since it would give fresh substance to the dream of an understanding. The futility of such a course had been proved at Ratisbon and could only prejudice that "testing of the spirits" which was so urgently needed. The Pope remained firm in his resolve to hold the Council and turned a deaf ear, at least for the time being, to the proposal for a reform conference in Rome as a substitute. All the same, it is surprising that the idea of a Roman reform conference, with which the history of the fifteenth century and the pontificate of Clement VII have familiarised us, should crop up in the story of the Council of Trent even before the actual opening of that assembly and that it should raise its head whenever the continuation of the Council met with difficulties.

The last word on the war-plan as well as on the fate of the Council was spoken in Rome after Farnese's return on 8 June.<sup>1</sup> Paul III was in a state of deep distress just then on account of the death of his daughter Constanza, but he seized the proffered hand. He declared his willingness to grant Charles V a subsidy of 200,000 ducats for the war against Schmalkalden, a body of 12,500 auxiliaries for a period of four months, and one-half of the ecclesiastical revenue of Spain together with the right to alienate for the same purpose Spanish Church property up to the value of half a million ducats. In the last days of June an *entente* was concluded on these conditions. At the Emperor's request the opening of the Council was put off until more prelates from foreign parts should have arrived.

Thus, after twenty years of opposition—sometimes covert, at other times overt—Pope and Emperor joined forces against the Protestants. The Pope threw off the suspicion and fear which until then had so largely conditioned his relations with the Emperor, in the hope of dealing the renegades a decisive blow in conjunction with the monarch. The decision had not been an easy one: the pontiff had not overcome

<sup>1</sup> The Pope's proposal is in Farnese's letter to Granvella, 17 June, *N.B.*, VOL. I, PT viii, pp. 198 ff.; information about it for the legates in *C.T.*, VOL. X, pp. 142 ff. On its reception by the Emperor, cf. Mignanelli, 27-28 June, Verallo on 24 June, *N.B.*, VOL. I, PT viii, pp. 202-13. I consider that Brandi (*Karl V*, pp. 450 ff.: Eng. edn., pp. 525 ff.) is wrong when he suggests that Paul III sought to rid himself of the Council by means of a war against the Protestants. On the opponents of war against the heretics in the imperial camp, see Brandi, *Quellen*, p. 356 f.

his misgivings, he had only put them on one side. Both parties were far from trusting each other, as the future was to reveal.

From a purely ecclesiastical point of view the new political orientation could not but inspire anxiety, and the situation was not perfectly clear, as the legates in their capacity as advocates of the Council did not hesitate to point out to the pontiff.<sup>1</sup> For one thing, the role of the Council in the whole scheme had not been specified. Were the Pope and the Emperor about to have recourse to arms in order to compel the Protestants to send delegates to the Council? Quite recently, at Worms, they had once more refused to do so while on the other hand the Council had not been inaugurated, hence any action against the recalcitrants would be premature. Or was it the Council's task to convict the Protestants of heresy in order that its sentence might be carried into effect by means of armed force, as was in its time the sentence of Constance against the Hussites? This presupposed a formal judicial procedure by the Council against the heretics. In either hypothesis it was advisable that the assembly should be opened at once and at Trent. At a later date, when these proceedings had been concluded, it would be easy to transfer it to some city within the Papal States, there to deal with the problem of reform.

This suggestion came undoubtedly from the canonist Del Monte. From the point of view of Canon Law it could be considered, but on political grounds it was not practicable. The immediate result of the opening of proceedings for heresy at Trent would have been an armed rising by the Protestants at a time when the Emperor's military preparations were still quite inadequate. Rome made no comment on the suggestion.

Even more pressing were the last-minute warnings addressed to Rome by Cervini,<sup>2</sup> after the bearer of the Pope's reply to the Emperor's proposal had left Trent. "Beware of the selfish and unlimited schemes of the Emperor in general," he wrote, "and of his intentions with regard to the Council in particular! Do not on any account commit yourself to anything until it is agreed that the Pope is absolute master of the Council!" The Bishop of Fano sounded a similar note.<sup>3</sup>

The Pope refused to listen to these warnings. He fell in with the

<sup>1</sup> *C.T.*, VOL. X, p. 114 f. (7 June), only signed by Del Monte and Pole; Cervini was indisposed, *C.T.*, VOL. I, p. 202.

<sup>2</sup> The secret letter of 20 June in *C.T.*, VOL. X, p. 123. *Plus ultra* (p. 124, l. 19) was Charles V's motto. Cervini also entertained some unjustified misgivings in regard to Ferdinand I, cf. *C.T.*, VOL. X, p. 127, l. 1, and p. 131, ll. 10 and 166.

<sup>3</sup> *C.T.*, VOL. X, pp. 132 ff. (3 July).



ideas which the nuncio Mignanelli had summed up in a memorial at the time of Farnese's departure for Worms.<sup>1</sup> Mignanelli granted that war against the Protestants was a plunge into the unknown; he nevertheless urged the Pope to trust the Emperor, "whose thoughts were fixed on God". He was therefore quite logical when he advocated an alliance, since otherwise Germany would be definitely lost and relations with the Habsburg brothers troubled for ever. Like his colleague, Verallo also urged the Pope to avoid every appearance of a lack of confidence in the Emperor.

In this way an *entente* was brought about and eventually a formal alliance. The arrangement gave neither party a sense of real security or unalloyed satisfaction; in fact, it contained the germs of fresh disagreements. The treaty was meant to harmonise two irreconcilable ideologies and to bring together for joint action two equally important but mutually opposed personalities. In the Emperor's estimation the alliance did no more than restore the normal conditions which corresponded to his wholly medieval conception of the Christian commonwealth of Western nations and of his own position as its secular head. He had always resented the Pope's policy of neutrality and his support of the "disturber of the peace" and "the friend of the Protestants and the Turks" as a violation of what he regarded as the normal political situation in the West. The feature of the alliance against the German Protestants to which he attached perhaps the greatest importance was the resumption of close collaboration with the Pope. The suggestion that what he proposed to the Pope implied nothing less than the pontiff's subordination to his plans, hence the sacrifice of his independence, would have appeared absurd to him. In his eyes victory over the disturbers of the established order in Church and Empire was also a triumph for the Church.

Paul III, on his part, concluded the alliance in the spirit in which every modern statesman enters upon similar compacts, viz. for one definite purpose, none other, in fact, than the overthrow of the Protestants. It was not his intention to issue a blank cheque out of sheer benevolence. The thought of yielding on any point in which the interests of the Papacy and his responsibility as head of the Church were at stake did not enter his mind for a moment. He never really trusted Charles V. He was prepared to do what he could in the hope

<sup>1</sup> *N.B.*, VOL. I, PT viii, pp. 170-7; Verallo's report, p. 223. Ferdinand in particular did his utmost to convince the nuncios that "la Ces. M.tà et lei vogliano in ogni modo il concilio", *ibid.*, p. 189.

that by means of the ultimate, bloody instrument of war the disrupted unity of the Church might yet be restored. It was this higher consideration that induced him to consent to the postponement of the opening of the Council. What a heavy burden he thus laid upon its presidents and its members was to be seen in the coming weeks and months.

While couriers journeyed to and fro between Rome and Worms, it needed all the legates' skill and energy to prevent the dispersal of that gathering. A few more prelates arrived indeed in the course of June,<sup>1</sup> but those already at Trent were looking for pretexts to take their departure, one for Milan, another for Venice and a third for his diocese. They found Trent inconvenient and expensive and not a few were in financial straits as the funds promised by the Pope for the benefit of needy prelates were not yet available. Rumour had it that several Neapolitan bishops had broken their journey to the Council at Rome, where they intended to await developments. In these circumstances it was some comfort when the Bishop of Termoli arrived on 22 June. It was thought that he would be well informed for he was a nephew of Cardinal Durante. In any case, in the opinion of the legates a word of encouragement from Rome was needed to raise the drooping spirits of the prelates, not to speak of the greatly needed ducats.<sup>2</sup>

In this atmosphere of uncertainty and hesitation the feast of St Vigilius, Patron of the diocese of Trent, was celebrated on 26 June with a solemn pontifical High Mass. This was followed by a great banquet at the castle, to which Madruzzo invited all the prelates. On the feast of St Peter and St Paul the pontifical Mass was sung by Del Monte in the presence, according to Massarelli, of twenty-seven bishops, six generals of Orders, three abbots and an imposing number of theologians and jurists, who had come to Trent by order of the Pope.<sup>3</sup>

<sup>1</sup> The arrival took place on 7 June of the Bishops of Ivrea and Nice, in the company of the young Duke of Savoy, Philip Emmanuel, *C.T.*, VOL. I, p. 202 f.; on the 12th that of the proxy of the aged Bishop of Reggio-Emilia, *ibid.*, p. 205, and on the 18th that of three abbots of the Congregation of St Justina, p. 206 f.

<sup>2</sup> *C.T.*, VOL. X, p. 118, l. 19; p. 128, l. 1; on the available funds, see *ibid.*, pp. 81, 118 and *passim*.

<sup>3</sup> *C.T.*, VOL. I, p. 211 f. For a judgment on the list—subsequently completed—see J. Müller in *Z.K.G.*, XLIV (1925), p. 357. Massarelli, for instance, includes among those present the Archbishop of Corfu (*ibid.*, p. 206), because his absence was thought to be merely temporary. The report of the Florentine agent Duretti, of 3 June, may serve as a means of checking these statements—on that day he counted 25 prelates at Trent, St. Arch., Florence, Med. 376, fol. 388<sup>r</sup> or.

There was no lack of able men in a company that included men like Pighino, auditor of the Rota and a future president of the Council; Severoli, a promoter of the Council and author of the most reliable diary that we possess for the first period of its existence; Domingo Soto, that luminary among Spanish theologians, and Bartolomeo Carranza, subsequently Archbishop of Toledo—both of them Dominicans. Among the prelates there were men of outstanding learning and literary ability, such as Olaus Magnus, the exiled Archbishop of Upsala and brother of the historian; the jurist Tommaso Campeggio with whom the reader is by now well acquainted; Bertano, the wise and learned Bishop of Fano; Seripando, the general of the Augustinians who was to be the mainstay of the legates in the discussions about justification; the exegete Isidoro Chiari, Abbot of Santa Maria of Cesena; the preacher Musso; the poet Vida; the humanist Beccadelli. The men of the opposition, round whom controversy was to be busy at a later stage, were also there: Nacchianti of Chioggia, Martelli of Fiesole, Abbot Luciano degli Ottoni.

The Italians were in an overwhelming majority, but it was reported that prelates from Spain and France were on the way.<sup>1</sup> They arrived in the last week of July and the first of August. The party consisted of four Frenchmen, viz. the Archbishop of Aix, accompanied by the Bishops of Clermont, Agde and Rennes; two Spaniards, namely the Bishops of Jaén and Astorga; and lastly, two Sicilians, the Bishops of Palermo and Syracuse. This gave the gathering a certain air of universality which, for the sake of prestige, it greatly needed. With some exaggeration Peter Merbel, a secretary employed by the government of Milan, wrote to Beatus Rhenanus<sup>2</sup>: "Every day witnesses the arrival at Trent of bishops of every nation, but no Germans."

At Worms the German Protestants obstinately maintained their standpoint that the Council of Trent was not "the Christian council in German lands" they had been promised.<sup>3</sup> In countless pamphlets they

<sup>1</sup> *C.T.*, VOL. X, p. 153, l. 17; p. 157, l. 9. Arrival of three Spanish jurists, p. 147, l. 24. The Bishop of Astorga arrived on 23 July, the Bishop of Pampeluna on the 24th, *C.T.*, VOL. I, p. 224 f.; the French prelates reached Trent on 5 August, *ibid.*, p. 230.

<sup>2</sup> A. Horawitz and K. Hartfelder, *Der Briefwechsel des Beatus Rhenanus* (Leipzig 1886), p. 532 (12 May 1545).

<sup>3</sup> Bucer's attitude in Lenz, *Briefwechsel*, VOL. II, pp. 297, 299, 321 (the Council "lauter gespött"). In his pamphlet against the Papacy Luther describes it as a "gaukelspiel", *L.W.*, VOL. LIV, pp. 206 ff. *Politische Correspondenz*, VOL. III, pp. 584, 586 f., throws further light on the Protestant Estates' unanimity in rejecting the Council.

attacked an assembly of which, in spite of the disparaging terms in which they spoke of it, they were yet afraid.<sup>1</sup> They were actually engaged in drawing up an official document of rejection.<sup>2</sup> So badly were they informed about the happenings at Trent that in the course of the summer Count Mansfeld despatched a scout to Trent with mission to reconnoitre.<sup>3</sup>

Catholic opinion swayed between hope and fear.<sup>4</sup> "Too often", Cochlaeus wrote to Cervini, "have I packed my trunks for the journey to the Council, only to unpack again, amid the jeers of friend and foe!"<sup>5</sup> In view of the tense political situation it was not to be expected—in fact it was hardly advisable—that bishops should leave their dioceses, hence there could only be question of the appointment of representatives. Mignanelli advised the legates to invite the German bishops once more to put in an appearance.<sup>6</sup> However, these prelates hesitated

<sup>1</sup> In addition to Luther's tract, which was soon translated into Latin by Justus Jonas, Bucer too wrote a book, *De Concilio* (Strasbourg 1545), against Cochlaeus's open letter *Ad principes ac status Romani Imperii*, *C.T.*, VOL. XII, p. lxxvi; VOL. X, p. 121, l. 1; *Z.K.G.*, XVIII (1897), pp. 460, 601 f.; Druffel, *Mon. Trid.*, VOL. I, p. 110 f. Sleidan's *Zwei Reden*, though published in 1544 (new edition ed. Böhmer, Tübingen 1879), belongs to this period in view of the historical background of the Council to be found in its pages (pp. 110-21). Another work, *Radtschlag des allerheiligsten Vaters Bapsts Pauli des Dritten mit dem Collegio cardinalium gehalten, wie das angesetzte Concilium zu Trient furzunemen sey* (1545 *sine loco*), is sheer satire, Schottenloher, No. 43208c; *C.T.*, VOL. XII, p. lxxix.

<sup>2</sup> Bucer did not agree with the Wittenbergers on the opportuneness of a refusal based on Canon Law, Lenz, *Briefwechsel*, VOL. III, pp. 337 f., 342 ff., but cf. *Corp. Ref.*, VOL. VI, pp. 7 ff. (No. 3352); also the Strasbourg memorials, *Politische Correspondenz*, VOL. III, pp. 590, 600, Schottenloher, Nos. 43209a-c. On 27 June the Jesuit Bobadilla suggested to Farnese that a fresh attempt be made through the Emperor to win over the Protestants, M.H.S.J., *Mon. Bobadillae*, VOL. I (Madrid 1903), p. 70 f.

<sup>3</sup> Justus Jonas to Duke George of Anhalt, 16 July 1545, G. Kawerau, *Der Briefwechsel des Justus Jonas*, VOL. II (Halle 1885), p. 165. The statement there made that Helling's companion was a "venter Franciscanus" is wrong—Necrosius was a Dominican. That Protestants in general were badly informed about the Council appears from the frequent requests for information on the part of Protestant divines. Thus Jonas had nothing better to report than wild rumours about the arrival at Trent in the near future of the Emperor and the Kings of France and England, about the translation of the Council to a city in Burgundy, and so forth, *ibid.*, VOL. II, p. 162 f.

<sup>4</sup> Cochlaeus's observation to Cervini on 26 April is significant: "Concilium oecumenicum Tridentinum, de cuius sane felici progressu et dubitant apud nos multi et ego anxie sollicitus sum", *Z.K.G.*, XVIII (1897), p. 457. On 25 April he wrote in the same strain to Capilupi, *Q.F.*, III (1900), p. 138. More later on about Cochlaeus's tract, *De auctoritate et potestate generalis concilii* (Mainz 1545), dedicated to Madruzzo.

<sup>5</sup> Cochlaeus to Cervini, 24 September 1545, *Z.K.G.*, XVIII (1887), pp. 460 ff. This time Nausea made no arrangements for a journey to the Council but made repeated efforts to get himself summoned to Rome, *ibid.*, XXI (1901), p. 541.

<sup>6</sup> *C.T.*, VOL. X, p. 121, l. 33; p. 130, l. 7.

to comply with the advice, if only because they felt uncertain about the fate of the assembly. This explains why the despatch of delegates from Germany was so slow in getting under way.<sup>1</sup> Michael Holding, coadjutor to the Archbishop of Mainz and his delegate to the Council, together with his two companions, the Dominican Necrosius and the jurist Kauf, and Canon Johann Armbruster, the proctor of the Bishops of Würzburg and Eichstätt, were the only representatives of the German nation at Trent up to the day of the opening of the Council.<sup>2</sup> As for the Swiss, the efforts of nuncio Rosin at the convention of Baden yielded no practical result either with the Protestants or the Catholics<sup>3</sup>; the former followed in the wake of Schmalkalden,<sup>4</sup> while the latter refused to take action for the time being.<sup>5</sup>

The absence of the German Protestants and the majority of the German bishops was regrettable on many grounds though it did not rob the gathering of its character of a General Council,<sup>6</sup> hence there was no reason why it should not be inaugurated, except that the Emperor's warlike plan stood in the way. The situation was further

<sup>1</sup> Thus, e.g., the Bishop of Constance writes on 27 June 1545 to Abbot Gerwig of Weingarten that on his (the abbot's) return from the Diet he would discuss with him the question of attendance at the Council, H. Günter, *G. Blarers Briefe und Akten*, VOL. I (Stuttgart 1914), p. 520 f.

<sup>2</sup> Holding arrived on 18 May, *C.T.*, VOL. I, p. 189; VOL. IV, p. 421 f.; VOL. X, p. 88 f. His powers, dated 27 April, *ibid.*, VOL. IV, p. 410 f. Biography of Holding by N. Paulus in *Katholik*, LXXIV, II (1894), pp. 410-30, 461-502. Arrival of Armbruster on 2 September, *C.T.*, VOL. I, p. 256; VOL. IV, p. 428; VOL. X, p. 189. On 21 September the Jesuit Jajus (Lejay) wrote to Ignatius Loyola that Cardinal Truchsess pressed him day by day to set out for Trent, M.H.S.J., *Mon. Jaji*, VOL. I (Madrid 1903), p. 295. For the whole question, see H. Jedin, "Die deutschen Teilnehmer am Trienter Konzil", in *T.Q.*, CXXII (1941), pp. 238-61; CXXIII (1942), pp. 21-37, where p. 22 f., the question of the proctors—to be discussed later on—is touched upon; cf. J. Schlecht, *Kilian Leibs Briefwechsel und Diarien* (Münster 1909), p. 133.

<sup>3</sup> *Eidgenössische Abschiede*, VOL. IV, I (d), pp. 456 f., 462 f.; Rosin's report in C. Wirz, *Akten*, pp. 398 ff. Rosin handed to each of the cantonal representatives a brief and a copy of the Bull of Indiction.

<sup>4</sup> Communication by Basle to Strasbourg about the Diet of Baden, 11 March, *Politische Correspondenz*, VOL. III, p. 565; justification of the rejection of the Council by the League of Schmalkalden, by the town clerk of Constance, 7 September 1545, *Eidgenössische Abschiede*, VOL. IV, I (d), p. 528 f.

<sup>5</sup> Fresh summons by Rosin, Lucerne, 4 April 1545, *Eidgenössische Abschiede*, VOL. IV, I (d), p. 472; C. Wirz, *Akten*, pp. 403 ff.; H. Förster, "Die Vertretung des Bischofs von Basel auf dem Konzil von Trient", in *Basler Zeitschrift*, XLI (1942), p. 33.

<sup>6</sup> This erroneous view is found in a tract composed by Vergerio at the turn of the year 1544-5 (*C.T.*, VOL. XII, pp. 431-9), which Döllinger (*Beiträge*, VOL. III, p. 291) ascribes to Morone. Vergerio indicates the real motives of the Protestants' refusal.

complicated when, at the beginning of July it became clear that the campaign could not begin in the course of the late summer, as originally planned, but would have to be put off until the following spring when funds would be available and recruiting completed. It was clearly impossible to defer the opening until then. By way of a solution of the dilemma the Emperor suggested to the Pope on 15 July, through Jean d'Andelot,<sup>1</sup> that he should open the Council but that the assembly should confine itself to the discussion of reform and hold over that of the controverted doctrines until the termination of the war. On his part the Emperor gave the Pope a guarantee that the authority of the Apostolic See would not be interfered with.

Cardinal Truchsess and the nuncios Verallo and Mignanelli greatly feared lest the whole laboriously erected structure of the *entente* between Pope and Emperor should topple over as a result of this suggestion. The very opposite happened. The Pope displayed extraordinary friendliness towards d'Andelot. Though he insisted on the Council being inaugurated in any case, he agreed in the same breath to a postponement of a few weeks, that is until the Emperor should have left Worms. He did not even reject out of hand the restriction of the programme of the Council to reform, though he let Verallo know that he failed to see how the main point of that programme, namely the discussions of the controverted doctrines, could be held over indefinitely. As for the proposed *colloquium*, he contented himself with a warning that nothing must be done there to prejudice religion and the Apostolic See.

The Pope's remarkable willingness to meet the Emperor's wishes—which meant the continuation of an exceedingly dangerous uncertainty about the unfolding of the conciliar programme—is not adequately accounted for by the pontiff's paramount anxiety not to jeopardise the success of the enterprise against the Protestants. There can be no doubt that yet another motive was at work, none other in fact than that of securing the Emperor's good-will for a long-cherished aspiration of the Farnese family. On 26 August, against strong opposition within the Sacred College, Paul III had bestowed the duchies of Parma and Piacenza on Pierluigi Farnese. This act of nepotism was only thinly

<sup>1</sup> Both the nuncios and Truchsess speak of the Emperor's resolve to postpone the war against the Protestants until the spring of 1546 as early as 5 and 6 July, *N.B.*, VOL. I, PT viii, pp. 226-36. D'Andelot's address and the Pope's reply in Farnese's letters to the legates and to Verallo, 19 July, *C.T.*, VOL. x, pp. 152-8. According to J. Müller, *Z.K.G.*, XLIV (1925), p. 345 f., the decisive reasons were the influence of Ferdinand and the wish to detach some of the Protestant states from Schmalkalden.

camouflaged by the circumstance that the investitures with these rich territories could be represented as an exchange for the modest Farnese fiefs of Camerino and Nepi.<sup>1</sup> However, as soon as that stroke had been brought off successfully the Pope showed clearly that in the long run he was not prepared to subordinate the great interests of the Church to the Emperor's political schemes. He displayed both energy and skill in his efforts to set the Council in motion. It was no easy task and his own legates began to despair of a successful solution of the problem that confronted them.

With growing uneasiness they had seen the management of affairs taken out of their hands. Weighty decisions were being taken in Rome and at the imperial court, while at Trent theirs was the thankless task, day after day, of comforting prelates weary of waiting with the prospect of a future which even for them was full of uncertainty. Like the captain of a ship riding idly at anchor they had repeatedly cheered the passengers with a promise of putting to sea, first in the spring, then in the summer, and now in the autumn. Nothing had happened and, worse still, there was no hope for the immediate future. "We are caught like quails in a net," they wrote on 19 July, "and are unable to extricate ourselves. Must we perish here, or must we be transferred to Germany, as people are whispering?"<sup>2</sup> The mere thought of such a translation was depressing enough, but it became a nightmare when Madruzzo, exasperated by the ceaseless carping of some of the prelates at the discomforts of his episcopal city, asked them in angry and threatening tones whether they imagined they would feel more comfortable at Worms.<sup>3</sup> The Pope's reply to d'Andelot, of which they were informed on 24 July, could not but fill the legates with the gravest misgivings. Cervini vented his vexation at the pontiff's apparent surrender in a letter to the private secretary Bernardino Maffeo which

<sup>1</sup> Particulars in Pastor, VOL. V, pp. 525 ff.: Eng. edn., VOL. XII, pp. 229 ff. Capasso, *Paolo III*, VOL. II, pp. 450 ff., admits that the investiture created an impression "nettamente sfavorevole", but he justifies the creation of the new duchy on political grounds, for it had become a "forte baluardo tutto italiano contro la politica assorbitrice di Carlo V", *ibid.*, p. 457. Verallo only heard of the transaction when all was over, *N.B.*, VOL. I, PT viii, pp. 286, 289.

<sup>2</sup> *C.T.*, VOL. X, p. 151, l. 26. The legates were put out by the fact that the "lettere mostrabili", for which they had prayed, had not yet arrived, *ibid.*, p. 149, l. 34.

<sup>3</sup> Madruzzo to the legates on 17 July, *C.T.*, VOL. X, p. 149, l. 18; *ibid.*, Madruzzo's earlier protest, p. 145 f. In *C.T.*, VOL. I, p. 218, l. 28, Massarelli lists the grievances which had so greatly angered Madruzzo—the rise of prices, the lack of fruit, the rudeness of the natives, the tremendous heat. For the rumour then current at Trent that the Council was to be transferred to Germany, see *N.B.*, VOL. I, PT viii, p. 240. 14.n.3; *C.T.*, VOL. X, p. 151, l. 5; p. 160, l.

was never despatched.<sup>1</sup> Both he and his colleagues were convinced that a further postponement of the inauguration of the Council would create great confusion while a *colloquium* in Germany would completely undermine its authority. They were equally of one mind on the fact that it was not possible to discuss a reform without reference to the dogmas on which it was based. More precisely even than in the legates' joint letter to Farnese, Cervini formulated the alternative: "either a Council or a *colloquium*". If, relying on specious promises, the latter is granted, the only thing to do is to hold a papal convention, but one that will enforce a real and thorough reform. Thus Cervini fell in line with Bertano's and Giacomelli's proposals.

How low the barometer of the Council stood appears even more clearly from a memorial submitted by Cervini on 8 August at Farnese's request.<sup>2</sup> In this document the cardinal maintains the principle that for the healing of religious dissension the Council was "the right remedy, the one indicated both by tradition and by the existing situation". He saw no less clearly the obstacles that stood in the way: "The love of the various nations for the Apostolic See has grown cold," he wrote, "bishops depend too much on princes, while the latter are mainly concerned with their own interests. Yet in spite of everything and trusting in the divine assistance the great undertaking must be risked, for the eventual triumph of truth is not in doubt. But if the Pope is unable to make up his mind to hold a Council because he feels it cannot be realised, the only alternative is reform without a Council. But if this path is to be taken without grievous loss of prestige, it is essential that a carefully planned reform Bull, one that takes into account the grievances of foreign nations, shall be published at once, before the dissolution of the Council. Such a Bull must be carried into effect immediately, for nothing but effective reform will prove any sort of substitute for a Council."

Cervini's memorial is not only informative about current views on the subject of the Council, it also makes it perfectly clear that he was inclined to regard its cause as lost. The Pope refused to act as requested. He was not inclined to give his opponents the satisfaction of boasting

<sup>1</sup> Letter of Cervini and general report of 26-9 July in *C.T.*, vol. x, pp. 161 ff. Bertano also expressed himself in sharp terms against the *colloquium*, *C.T.*, vol. x, p. 159, n.3. To the legates (*ibid.*, p. 145, l. 8) the nuncios spoke in a much more decided tone than to Farnese, *N.B.*, vol. I, pt viii, pp. 240, 246.

<sup>2</sup> *C.T.*, vol. x, p. 170 f., and the legates' report on the table-talk of 7 August, *ibid.*, pp. 167 ff. A fragment of Farnese's answer to Cervini's proposals is in *C.T.*, vol. IV, p. 427. In view of Mendoza's hint that a translation to the south would not be regarded with disfavour, Brandi's opinion (*Karl V*, p. 456: Eng. edn., p. 531) that the imperial diplomacy made game with the legate is not without foundation.





CARDINAL CRISTOFORO MADRUZZO  
*After the painting by Titian in the Museu de Arte, São Paulo,  
dated 1542*

that he had dropped, on the very eve of its realisation, the main item of his programme, the one which ten years earlier he had declared to be the chief aim of his pontificate. He accordingly rejected Cervini's proposal for a reform Bull and the Roman reform convention that would follow its publication. He had his own plan for saving the Council, but he was not yet quite clear in his mind about its execution.

The legates on their part felt convinced that the Emperor wished the existing state of suspense to go on, not only for a few weeks, as d'Andelot had requested, but for many months; they even thought they had tangible proofs of such an intention. At a banquet which they gave on the occasion of the birth of Don Carlos, the heir to the Spanish throne, Del Monte sat next to Mendoza. The latter enlarged on the advantages which both parties would derive from a temporising policy. With all the assurance of the layman turned theologian he went on to explain that, with regard to the faith, they knew all there was to know; all the bishops and doctors of the Council together could not say anything new on such a theme. At the moment reform was not in the interest of either Pope or Emperor. The latter's first concern was to empty the gold bags of the Spanish prelates so as to enable him to meet the expenses of the war! "How often", Mendoza exclaimed, "have I not made it clear to the Emperor that he must ally himself with the Pope. At last the moment has come! Cardinal Farnese has done his job well, very well indeed!"

About such an encomium, from such a speaker, opinions may differ. Farnese could scarcely take it as a compliment. After these remarks the conversation drifted on to a discussion of various wines. Niccolò Madruzzo praised the vintage of Trent which the company was sampling at that moment. Del Monte, the host, was gratified by the compliment but slyly observed that "it was only good in summer". Thereupon Mendoza whispered in his ear: "During the winter you shall drink Greek wines in Rome."

Cervini commanded excellent sources of information so that he had no difficulty in sensing the purport of these hints. He felt that the Emperor would more readily agree to a translation of the Council to Rome than to its opening, for his supreme anxiety was to gain time. "Translation"—this was the watchword the Pope had long had in readiness, and in August he came out with it.<sup>1</sup>

<sup>1</sup> On 1 August Gualteruzzi informed Della Casa that "si parla della translation del concilio et dicesi di Milano, ma la cosa è di molta considerazione". On 8 August "N.S. partira verso la fin del mese per Perugia. In questo mezzo si fara un consistorio nel qual si parlera del concilio o aperiendo o transferendo, il quale ingrossa a maraviglia per quello s'intende", Montepulciano, Bibl. Ricci, 4, fols. 98<sup>v</sup>, 100<sup>v</sup>.

The summoning of the Council to Trent was a concession to the Germans which the Pope had only made under duress. He still felt convinced that a Council would only be free from grievous risk for the Papacy if it were held in the Papal States or in one of the states of central Italy. As early as mid-July he had sounded the legates on the possibility of a translation.<sup>1</sup> They replied that it was feasible, but only to a place in Italy and subject to the consent of the Emperor. This answer did not satisfy the Pope. He had not sought information about the possibility of a translation but about the means of effecting it. In order to satisfy this desire, and in general for the purpose of laying before the Pope their anxiety with regard to the Council, the legates despatched the secretary of the Council, Beccadelli, to Rome on 13 August to report. In their instructions for Beccadelli<sup>2</sup> they stated that a translation to Rome would be the best solution of the existing crisis. However, in order to avoid a fresh convocation and the necessity of fixing a new time-limit, it would be advisable to have a formal opening at Trent followed by an immediate translation, both measures being carried out in virtue of a papal commission.<sup>3</sup> There were any number of reasons for a translation—the conditions in regard to supplies at Trent, the smallness of the town, the severe Alpine winter, the proximity to Germany, the danger of anti-papal agitation. On the other hand the Emperor's consent was an unavoidable condition for a translation. If he agreed to it his action might be rewarded by some concession on their part; for instance the assembly might occupy itself with a discussion of reform projects until he was ready to strike. But the suggestion that such tactics should be adopted at Trent and that a *colloquium* should be held simultaneously in Germany was wholly

<sup>1</sup> *C.T.*, VOL. X, p. 144, l. 22; p. 151, l. 9.

<sup>2</sup> *Ibid.*, VOL. X, pp. 174 ff., Beccadelli's instructions. His mission followed Farnese's refusal to send a trusted person from the Curia to Trent. On 20 August he was in Rome, *ibid.*, p. 188, "ottimamente visto da N.S. e da Mons. R.mo Farnese", Gualteruzzi reports on 22 August, Montepulciano, Bibl. Ricci, 4, fol. 104<sup>v</sup>. He took a week to recover from his journey; on 4 September he accompanied the Pope on his journey north (fols. 106<sup>v</sup>-108<sup>r</sup>). He was sent off at Orvieto on 16 September and on the 24th he was back at Trent, *C.T.*, VOL. X, pp. 193, 198.

<sup>3</sup> At a later date the legates came to doubt the opportuneness of this proposal. They feared lest a translation after the opening should meet with opposition within the Council itself, an opposition that would be fostered by the Emperor. They accordingly altered the instructions in the sense that it would be advisable to transfer the Council before the opening, *C.T.*, VOL. X, p. 177 f. A third way out was suggested by the Bishop of Belcastro in a letter of 13 August to his brother, the Pope's physician, but which was meant to be seen by the pontiff. He suggested that as soon as the Council was inaugurated the majority should approach the Pope with a request for its translation, *ibid.*, p. 173.

unacceptable. But so was any further waiting for the arrival of prelates from abroad. "Here no one is prepared to listen to such a suggestion," they wrote; "if the Council must be inaugurated at Trent, the road must be cleared for it and it must be in a position to cite the Lutherans and to prevent the *colloquium*!"

The legates were likewise disposed to agree to a translation to Ferrara, but not to Mantua or Milan, on the ground that these cities were within the Emperor's sphere of influence. The whole of their scheme was well thought out, but the one condition for its execution—the Emperor's consent—was not fulfilled and could not be fulfilled.

On 19 July Cardinal Farnese had instructed the nuncio Verallo to try to ascertain what would be the imperial court's reaction to a translation.<sup>1</sup> At that time the nuncio failed to obtain any definite information; the Emperor merely confirmed the statement made by d'Andelot, viz. that he had no objection to the inauguration of the Council on the feast of the Assumption or that of the Nativity of the Blessed Virgin, but he insisted that for the present the assembly should not pass judgment on the Protestants but concern itself exclusively with the reform of the clergy; otherwise there was reason to fear that Schmalkalden would forthwith rush to arms and so jeopardise the successful issue of the whole undertaking. As for the *colloquium*, the Emperor repeated that it was no more than a manœuvre which could not in any way trench upon the Pope's authority. In a subsequent conversation Granvella stressed once more the need of mutual trust.<sup>2</sup> A few days later, on 4 August, the Recess of the Diet of Worms fixed the beginning of the *colloquium* for 30 November at Ratisbon. After this the Emperor withdrew to the Netherlands and Granvella to his estates in Burgundy. The affair of the Council remained in abeyance for over a month, pending the arrival of Dandino, the nuncio extraordinary, which had been announced some time before.

Previous to the despatch of Dandino on 11 September<sup>3</sup> the Pope

<sup>1</sup> *N.B.*, VOL. I, PT viii, p. 254.

<sup>2</sup> *Ibid.*, p. 265 f. (3 August), more briefly on 1 August, to the legates, *ibid.*, p. 165, l. 21. For the literature on the Recess of Worms, see Brandi, *Quellen*, p. 358 f. In Müller's account, in *Z.K.G.*, XLIV (1925), p. 348, Granvella had wrested the *colloquium* from the Emperor by way of compensation for the national assembly he had promised.

<sup>3</sup> Dandino's instructions, *C.T.*, VOL. IV, pp. 430 ff.; his itinerary, *N.B.*, VOL. I, PT viii, p. 314, n.3; report of 5 October, *ibid.*, p. 320 f.; more briefly to the legates, VOL. X, p. 205; cf. VOL. I, p. 277; VOL. X, pp. 184, 188, 192. The fullest account is in Müller, "Die Konzilspolitik Karls V, etc.", in *Z.K.G.*, XLIV (1925), pp. 368-82. Vega's instructions for Marquina, Dandino's companion, in *Spanische Forschungen der Görresgesellschaft*, IV (1933), pp. 331-44.

had also listened to Mignanelli, who had recently returned to Rome. The latter strengthened the pontiff in his view that there was not a single valid reason for holding the Council at Trent and that a translation was not only desirable but necessary. Dandino was detained at Bologna by illness so that he only reached Brussels on 3 October, without having touched Trent. When on the following day he submitted to the Emperor the plan for a translation he met with a refusal couched at first in courteous terms but which eventually hardened to an emphatic rejection. Repeated discussions with the regent Figueroa and the secretary Idiaquez, as well as yet another audience with the Emperor on 7 October, failed to shake this determination.<sup>1</sup>

The monarch insisted that he must redeem the promise made to the Estates of the Empire as a whole, hence to the Catholics as well as to the Protestants. If he insisted on Trent, it was not from any undue readiness to meet the latter; on the contrary, he meant to make their refusal to attend the reason for going to war with them. The Emperor also observed that a translation of the Council to Italy would necessarily create the impression that the Pope was seeking to rid himself of it by means of a subterfuge; that in fact he had no wish for a free, independent Council. In the last resort it was also in the Pope's interest that the Council should be held at Trent. The prelates' complaints of the discomforts of the conciliar city he brushed aside with the ironical remark that during the congress of Nice the Pope had stayed in a monastery and he himself in the small town of Villafranca. Was it really asking too much from the prelates that for the sake of a great and sacred purpose they should be satisfied with one room instead of a whole house? The Emperor showed some irritation against the legates because they laid the blame for the delay on him. Dandino felt that this irritation and the fear that he would be held responsible for the translation, should he give his consent to it, contributed not a little to the stiffening of the monarch's opposition.<sup>2</sup>

A translation of the Council against the express will of the Emperor

<sup>1</sup> The Emperor's reply in writing, dated 10 October and brought by Pedro Marquina, Vega's secretary, in *C.T.*, VOL. X, p. 213 f. For the background, cf. *N.B.*, VOL. I, PT viii, p. 351 f., and the reports of Dandino and Verallo to Farnese, dated 8 and 10 October, which were also forwarded by Marquina, *ibid.*, pp. 323-53. The latter's letters to the legates of the same dates, in *C.T.*, VOL. X, pp. 210-13. On the mediating role played by Marquina and Vega in the course of the negotiations of that period, see G. Buschbell, "Die Sendungen des Pedro de Marquina an den Hof Karls V, Sept.-Dez. 1545 und Sept. 1546", in *Spanische Forschungen*, IV (1933), pp. 311-53.

<sup>2</sup> *N.B.*, VOL. I, PT viii, p. 345; *C.T.*, VOL. X, p. 211 f.

would have meant the rupture of the alliance and the abandonment of the war against the Protestants. The nuncio Verallo granted that the Emperor's arguments could not be rejected out of hand, but he also clearly perceived what the monarch's confessor, Domingo Soto, would not admit,<sup>1</sup> namely that a Council inaugurated at Trent could not escape the Emperor's influence and that it would be difficult to transfer it, at a later date, to some other locality.<sup>2</sup> An "open Council", especially one on imperial territory, would prove a constant temptation for the Emperor to use the opposition that was to be expected there as a weapon against the Pope. True, the Emperor was willing that the Council should be opened at Trent, yet in the same breath he sought to restrict its freedom of action by laying down the condition that for the time being it should confine itself to Church reform. Against such a restriction of its programme the legates had lodged a protest on a former occasion in the sharpest terms. In their letter of 19 October to Farnese they described a condition of this kind as dishonourable and at variance with the freedom and the prestige of the Council. On the other hand the present state of inactivity could not be allowed to go on. After weighing the pros and cons, only one road remained open, and this road the legates urged the Pope to take. Let him put his trust in God and open the Council immediately! Having done so, let him tackle the two problems for which the Council had been convened with complete freedom and regardless of the wishes of outsiders. A remark of Marquina's to Pacheco led the legates to conclude that eventually the Emperor would not insist on a deferment of the dogmatic discussions as strongly as it appeared just then.<sup>3</sup>

In point of fact the adoption of this plain, courageous and truly Christian advice was the only way to end an almost hopeless deadlock. The Pope took it. After consultation with the conciliar committee, and with Beccadelli he announced in the consistory of 30 October that

<sup>1</sup> *N.B.*, VOL. I, PT viii, p. 334, and Dandino's remark to Cervini, *C.T.*, VOL. X, p. 212, and *N.B.*, VOL. I, PT viii, p. 352.

<sup>2</sup> Verallo (*N.B.*, VOL. I, PT viii, p. 336 f.), in my opinion, appreciated the divergent views much more impartially than Dandino who was unable to shake off his notorious anti-imperial attitude while on this mission. Whereas Bertano urged the translation of the Council, regardless of the Emperor's wishes (*C.T.*, VOL. X, p. 206 f.), Madruzzo regretted that the plan should have matured so far as to have become a subject on which the monarch was to be consulted, *C.T.*, VOL. I, p. 289, l. 4.

<sup>3</sup> *C.T.*, VOL. X, p. 219 f. The reaction to the information which Marquina brought from the imperial court on 19 October, in *C.T.*, VOL. I, p. 291 f. According to what we read on p. 293, l. 13, Madruzzo sponsored Marquina's observations. On 24 October the legates stressed anew the importance of the matter, *C.T.*, VOL. X, p. 221.

he intended to open the Council before Christmas. In the next consistory, on 6 November, the date of the opening was definitely fixed for the third Sunday in Advent.<sup>1</sup> The decision was communicated to the Roman prelates on the following day. Their refusal to regard it as final was only too natural, and they were in no hurry to make preparations for their departure. When Cardinal Farnese put before them the alternative of Trent or Castel Sant' Angelo, many of them took the threat as a bad joke.<sup>2</sup> They were mistaken; this time it was serious. The key with which the Council was to be opened and which Giovio thought had been irretrievably lost in a deep well<sup>3</sup> had been recovered. It was high time too, for in the period of three months which had been taken up with the missions of Beccadelli and Dandino, not only had new arrivals almost completely ceased, but the assembly was on the point of dissolving of its own accord. Up to 12 September a dozen prelates had left Trent on one pretext or another without formal authorisation of the legates.<sup>4</sup> Francis I gave the French bishops leave to take their departure, though only if the opening of the Council was still further delayed. However, when Del Monte explained to the Bishop of Rennes that the delay was due to the legates' efforts to secure

<sup>1</sup> *C.T.*, VOL. IV, p. 435, n.5; VOL. X, pp. 226 f., 231 f., supplemented by Beccadelli's letters, pp. 227 ff., which record the Pope's remark that throws so much light on his motives: "Noi faremo sì che il mondo conoscerà se da noi manca o da altri" (p. 228, l. 8, also l. 1). To Vega he spoke in the same terms as to the legates, viz. "che lo voleva aprir ad ogni modo, volendosi piuttosto confidare in Dio che ne gli huomini", Gualteruzzi to Della Casa, 7 November, Montepulciano, Bibl. Ricci, 4, fol. 126<sup>v</sup>. This observation shows that Müller, in *Z.K.G.*, XLIV (1925), pp. 382 ff., draws exaggerated conclusions from the delay of an official communication to the Emperor (cf. *C.T.*, VOL. X, p. 227, l. 10). The ever cautious pontiff was anxious not to cut off the possibility of retreat should this become necessary, though there was no "unworthy irresolution" (p. 386) in his conduct. Vega, on the other hand, persisted in his belief that the Pope recoiled from the very idea of a Council, *C.T.*, VOL. XI, p. 14.

<sup>2</sup> Gualteruzzi to Della Casa, 21 November, Montepulciano, Bibl. Ricci, 4, fol. 130<sup>v</sup>: "Questi Signori clerici (di Camera) hanno ordine di andare a Trento et credesi che alla perfine andaranno, perciocchè ultimamente fu intimato molto bravamente: O a Trento o in Castello, qualchuno credette che Mons. Rev.mo Farnese burlasse, ma poi si è veduto che la cosa va da dovero."

<sup>3</sup> *C.T.*, VOL. X, p. 216, l. 11; the effect at Trent, *C.T.*, VOL. I, p. 287, l. 16.

<sup>4</sup> *C.T.*, VOL. X, p. 191. Examples: Fano's departure for Mantua, *ibid.*, p. 180, n.4; Bitonto's for Padua, where his brother lay sick, *ibid.*, p. 189 f. The consequence was that the rumour spread in Protestant circles that the Council had already dissolved, Renato to Bullinger, 10 August, and the latter's reply of 18 December, in W. Schiess, *Bullingers Korrespondenz mit den Graubündern*, VOL. I (Basle 1903), pp. 79, 85. But the accusation (*N.B.*, VOL. I, PT viii, p. 310) that the legates were "ad dar licentia ad chiunque la dimandava" was not justified. Girolamo Vida wrote from Cremona (no date) that he no longer counted on the Council assembling and that the existing situation was unseemly, *Arch. storico Lombardo*, XXI (1894), pp. 21-5.

the freedom of the assembly, they consented to wait for fresh instructions from Paris. In the meantime, until the return of the couriers, they took a holiday on their own authority and left the city.<sup>1</sup> The fact that at the conclusion of his mission in Rome Beccadelli did not resume his post as secretary to the Council but took up once more his functions of tutor to Ranuccio Farnese, the Pope's young nephew,<sup>2</sup> was not encouraging. A command of the Pope, issued through Cardinal Cupis, ordering the Roman prelates to set out for Trent within eight days, was not complied with,<sup>3</sup> for rumour had it that the Council would be translated at an early date, probably to Rome.<sup>4</sup> Why should anyone start out on an expensive journey to Trent?

At Trent itself there was nothing to do for the prelates, who were weary of waiting and irritated by reason of the expenses they were forced to incur. Small wonder that parties began to form and intrigues were spun. At the beginning of September two Milanese, Trivulzio of Piacenza and Simonetta of Pesaro, perhaps at the instigation of the French, sought to induce their discontented colleagues to take a collective step in Rome for the purpose of forcing a decision.<sup>5</sup> The Bishop of Belcastro boasted that he had at his disposal a bodyguard of twenty prelates, wholly devoted to the Pope, who were prepared to follow him through thick and thin. Others pointed an accusing finger at the black sheep which they claimed to have discovered among the prelates present at Trent and whom they suspected of holding conciliarist or even Lutheran opinions.<sup>6</sup> Their intrigues were of course reported to the suspects and called forth their resentment. Was it any wonder that the Curia kept them in the dark about the fate of the Council when such reports reached Rome? With a view to rendering the informers harmless the Bishop of Fiesole drew up a protest to the Pope for which he sought the signatures of a number of prelates. They refused to put their names to the document. Bishop Martelli nevertheless forwarded his protest to the Pope on 18 August.

<sup>1</sup> *C.T.*, VOL. X, p. 199 f.

<sup>2</sup> *Ibid.*, p. 192 f.

<sup>3</sup> *Ibid.*, VOL. IV, p. 429.

<sup>4</sup> Gualteruzzi to Della Casa, 29 August, Montepulciano, Bibl. Ricci, 4, fol. 106<sup>v</sup>: "Si crede et tien per fermo che si habbia ad aprire et transferire, et è chi parla di Roma."

<sup>5</sup> *C.T.*, VOL. I, p. 261 f. The legates' attempt to bring about a collective step by the prelates assembled at Trent in favour of a translation, which Müller (in *Z.K.G.*, XLIV (1925), pp. 359 ff.) places at the beginning of August, is pure surmise.

<sup>6</sup> *C.T.*, VOL. X, p. 139 f. (Romeo); p. 133, l. 30; p. 160, l. 42 (Bertano). Belcastro's "body-guard", p. 173, l. 35.



He received a courteous reply to the effect that Rome was not to blame for the delay. Martelli's indignation was inspired by yet another, wholly personal motive; an official of the Apostolic Camera had recently excommunicated him because he had failed to pay his tenth in full.<sup>1</sup> Of all people the legates were the least to be envied. Rumours reached them from all sides while they themselves were condemned to inactivity and all the time they had a feeling that their self-sacrificing efforts were not properly appreciated in Rome. Only after strong representation to the Pope did the College of Cardinals grant them a share of the "dues" to which they were entitled as papal legates.<sup>2</sup> Del Monte had been feeling unwell since mid-August: he suffered from bouts of fever and toothache. Head, throat, back, his whole body was in pain, and for all this, he felt convinced, the climate of Trent was responsible. Later on it was found that he suffered from a form of jaundice, the real cause of which was irritation at being condemned to prolonged idle waiting. He was indignant that an adventurer like Ludovico delle Arme, a leader of a band of mercenaries and actually in the service of England, should dare to insult him from the street while he stood at the window of his apartment.<sup>3</sup> His colleague Cervini, deeply depressed by Pierluigi Farnese's nepotistic investiture with Parma and Piacenza,<sup>4</sup> took up his learned studies, made plans for his villa at Montepulciano and practised the virtue of patience. Cardinal Pole spent his days in deep retirement and in constant fear of an attempt on his life by his enemy Henry VIII.

When, therefore, on 7 November the first though vague report of the forthcoming opening of the Council reached Trent, the effect on the depressed gathering was that of a deliverance. For a while the legates kept the report secret.<sup>5</sup> They only communicated the news to

<sup>1</sup> Text of Martelli's address and the letter in which he sharply condemns "falsas ineptasque calumnias . . . irridendas potius quam pertimescendas", in Vat. lat. 6208, fols. 171<sup>r</sup>-177<sup>v</sup>, in *C.T.*, VOL. XII, pp. 439-44; the remainder in *C.T.*, VOL. IV, p. 439, n.1; VOL. X, pp. 178 f., 195.

<sup>2</sup> *C.T.*, VOL. X, p. 138 f., 209 and VOL. IV, p. 433, also VOL. I, pp. 240 ff. The decision in favour of the legates was only taken at the consistory of 30 October, in the teeth of some opposition, *C.T.*, VOL. X, p. 257, l. 5.

<sup>3</sup> *C.T.*, VOL. X, p. 182 f.; p. 193 f. Del Monte accordingly left for Lake Garda on 15 September, to recuperate, *C.T.*, VOL. I, p. 267, l. 30; he returned on the 19th, *ibid.*, p. 269, l. 32.

<sup>4</sup> *C.T.*, VOL. X, p. 186 f.; Massarelli's observations on Paul III's nepotism in *C.T.*, VOL. I, p. 290, l. 25, are undoubtedly an echo of Cervini's feelings.

<sup>5</sup> *C.T.*, VOL. I, p. 310; Farnese's letter of 31 October, ordering the recall of the absentees to Trent in *C.T.*, VOL. X, p. 226 f. The legates thereupon recalled the Bishops of Feltre, Fano, Alba and Belcastro by letter, *C.T.*, VOL. X, p. 319, l. 4.

the prelates on 13 November. On the same day a letter of Farnese, dated 7 November, informed them that 13 December was the date fixed for the opening.<sup>1</sup> Everybody was jubilant; at last the period of torturing uncertainty was at an end. Only a few days earlier Madruzzo had explained at great length to Massarelli why there was no prospect of an early inauguration of the Council; if it were otherwise the Pope would not persevere in his nepotism and endeavour to secure for his family both Modena and Reggio in exchange for Ravenna and Cervia, which were part of the Papal States, while the Emperor would take good care not to provoke the Protestants by such an act.<sup>2</sup> Even after the arrival of the good news from Rome there were sceptics who felt unable to give it credence; as a matter of fact they came very near to being in the right, for an unforeseen incident put the opening once more in jeopardy at the last moment.<sup>3</sup>

On 14 November the three Frenchmen who had remained at Trent informed the legates that a royal letter of 26 October recalled them to France. The fatal letter had actually been in their hands since 9 November. In accordance with custom they had informed the legates of the nature of its contents with the exception of this all-important item. The impression made by this announcement was all the more painful as they only made it at the moment when the date of the opening had become known. Was it France's intention to sabotage the Council by recalling its prelates? Cervini, ever distrustful, feared that such was her intention, while Pole took a calmer view. In his dismay Madruzzo went so far as to announce his intention to prevent the departure of the Frenchmen by force. It goes without saying that the legates would not hear of so foolish a proposal. On Del Monte's advice they refrained from drawing up a written protest against their departure, as they had at first intended, and contented themselves with negotiations, with the result that at least two Bishops—those of Aix and Agde—decided to remain at Trent until the courier should have returned with fresh instructions. The Bishop of Rennes alone left the conciliar city. Thus the danger of the French nation withdrawing as a whole

<sup>1</sup> *C.T.*, VOL. I, p. 317 f.; Farnese, 7 November, in *C.T.*, VOL. X, p. 231 f.; the legates' report of 16 November, *C.T.*, VOL. X, pp. 242 ff.

<sup>2</sup> *C.T.*, VOL. I, p. 313, l. 3; as late as 30 November the legates mention casually that "alcuni dichino liberamente di non poterlo credere", *C.T.*, VOL. X, p. 258, l. 36.

<sup>3</sup> Particulars of the negotiations in Massarelli's *Diarium*, *C.T.*, VOL. I, pp. 319-27; Massarelli was frequently sent, now here, now there, with messages so that his diary is much more informative than the legates' reports, *C.T.*, VOL. X, pp. 242-5; cf. also Zorilla's letter, *C.T.*, VOL. XI, p. 15 f.

was averted. The legates, however, were powerless to prevent the departure of the Bishop of Rennes, who, on 26 November, withdrew to Venice without taking leave of them. Pacheco, as spokesman of a deputation of Spanish and Neapolitan prelates, appealed in vain to the Peace of Crépy and to the agreement between King and Emperor<sup>1</sup>; in vain the legates, in a letter couched in grave but fatherly terms, reminded the Bishop of Rennes of his episcopal oath. The prelate justified his action by pleading that he had come to Trent not so much as a bishop than as a representative of his King, hence he felt bound to obey the latter's order for his recall, but he nevertheless remained in Italy. The Bishop of Clermont also stayed on in the neighbourhood while awaiting developments.<sup>2</sup> The Archbishop of Aix continued to reside at Trent.

The great question was how to account for this strange behaviour of the Frenchmen: it was a matter of the utmost gravity. In the course of the last few months the political sky had become very much overcast. The execution of the Peace of Crépy, which a year earlier had opened the road to the Council, had been jeopardised by the sudden death of the Duke of Orleans on 9 September 1545. Fresh negotiations were taking place, but progress was slow.<sup>3</sup> The League of Schmalkalden had but recently foiled the Catholic Duke Henry of Brandenburg's attempt to reconquer his territory and had even seized his person. They had likewise resumed relations with their old supporter in the West. Their immediate aim was to pave the way for peace between France and England.<sup>4</sup> If Francis I's rear was once more protected and if, as certain symptoms seemed to show,<sup>5</sup> he resumed his

<sup>1</sup> Audience of the imperialists, 25 November, *C.T.*, VOL. I, p. 332; VOL. X, pp. 251 ff.; letter to the Bishop of Agde, *C.T.*, VOL. I, p. 335. Madruzzo also drew attention to the secret clause of Crépy, *C.T.*, VOL. I, p. 325, l. 5.

<sup>2</sup> The Bishop of Clermont's stay at Venice is mentioned by Mendoza on 5 October, *Cal. of St. Pap., Spain*, VOL. VIII, p. 258 (No. 144); later on we find him at Ferrara and on 28 November he was at Bologna, *C.T.*, VOL. I, p. 338, l. 10.

<sup>3</sup> Verallo's and Dandino's reports of 8 and 12 November to Farnese and to the legates (*N.B.*, VOL. I, PT viii, pp. 409-20) are still optimistic. When France refused to give up Piedmont, Dandino began to despair of the issue, *N.B.*, VOL. I, PT viii, p. 421; *C.T.*, VOL. X, p. 241, l. 10 (16 November); on 1 December he had the impression that things were taking "mala piega", *C.T.*, VOL. X, p. 263, l. 29. At the consistory of 9 October the Pope had stated that a fresh rupture with France would render the Council impossible. In Rome the opinion prevailed at the time—it was premature—that "li Tridentini si richiameranno et si fara una altra prorogatione", Gualteruzzi to Della Casa, 10 October, Montepulciano, Bibl. Ricci, 4, fol. 118<sup>v</sup>.

<sup>4</sup> Johann Sturm's report on his negotiations in France, *Politische Correspondenz*, VOL. III, pp. 635-9 (21 September); Lenz, *Briefwechsel*, VOL. II, p. 357.

<sup>5</sup> *C.T.*, VOL. X, p. 263, l. 31; cf. VOL. I, p. 333, l. 30; p. 337, l. 10; VOL. X, p. 256, l. 7. In October Zorilla learnt at Trent that "Su S<sup>te</sup> tiene ya por cierta la gerra entre el emperador y el rey de Francia", *ibid.*, VOL. XI, p. 13.

activities at Constantinople, the conditions which had enabled the Emperor to plan war against the Protestants would be at an end; such a war would be impossible and the holding of the Council in the balance.

"The condition of Christendom is worse than ever", Cervini wrote on 6 December.<sup>1</sup> Like his colleagues he trembled lest the opening should be prevented at the last moment for at the imperial court signs of disapproval could be detected. The nuncios had the impression that Granvella was none too pleased with the decision to open the assembly. If the French were to thwart the plan, the legates thought, the minister would welcome their action.<sup>2</sup> Suspicion was further increased by the recall of Holding, the auxiliary of the Archbishop of Mainz. Holding was the only German bishop at Trent. It was with difficulty that the prelates prevailed upon him, in mid-November, to ignore the order for his recall issued by Sebastian von Heusenstamm, the new Archbishop.<sup>3</sup> If he were to leave for the Ratisbon *colloquium* there would not remain a single representative of the German nation on the bishops' benches. Thus the position was identical with that of the French; yet the imperial party, above all Pacheco, insisted that the legates should grant Holding formal permission to leave. "If the Pope were here," Pacheco asserted, "he would undoubtedly grant it." "If you were to ask for a hundred years, you would get no other answer than 'No'!" Del Monte replied. The legates were not to be shaken—Holding did not leave.<sup>4</sup>

While the legates were thus engaged in a supreme effort for the success of the conciliar convocation, they were left for a whole fortnight without any message from Rome. They were kept waiting for the brief formally ordering them to open the Council for which they had twice prayed. Not one of the Roman prelates was to be seen, though the Pope himself, and after him Cardinal Cupis, as chairman of the conciliar committee, had urged them to speed their departure for Trent. Only from the neighbourhood did one or two put in an

<sup>1</sup> *C.T.*, VOL. X, p. 267, l. 24, like Massarelli, *ibid.*, VOL. I, p. 344, l. 18. On 14 November Gualteruzzi wrote to Della Casa, Montepulciano, Bibl. Ricci, 4, fol. 128<sup>v</sup>: "Se l'avisio della presa di Brunsvic si conferma si stima che si fara qualche nuova deliberatione intorno alle cose del concilio."

<sup>2</sup> *C.T.*, VOL. X, p. 247, l. 3; p. 254, l. 27. On 29 November Verallo and Dandino report "ci ha mostrato che sia stato ben fatto", p. 257, l. 20. For further information on the state of tension at this time between Pope and Emperor, mainly on account of the delay in concluding an alliance, see Müller in *Z.K.G.*, XLIV (1925), pp. 388 ff.

<sup>3</sup> *C.T.*, VOL. X, p. 243 f.; Holding's confirmation by the cathedral chapter (*C.T.*, VOL. I, p. 308, l. 4; VOL. IV, p. 434), was thus made superfluous.

<sup>4</sup> Here too Massarelli (*C.T.*, VOL. I, p. 341, l. 18; pp. 342-8) is more informative than the legates' report (*C.T.*, VOL. X, p. 266).

appearance, together with a Dominican theologian who came as the vanguard of the Portuguese bishops.<sup>1</sup> In the end Cervini judged it expedient to make it perfectly clear to the Pope's secretary Maffeo that there could be no going back, otherwise the Pope would expose himself to the accusation so often mooted by the canonists, that it was he who prevented the Council.<sup>2</sup>

Those in a position of responsibility felt as if a weight had been taken off their shoulders when in the afternoon of 11 December a courier arrived bearing the longed-for brief and the formal order for the opening of the Council.<sup>3</sup> The final preparations in the cathedral chancel and in the great hall of the Palazzo Girolido were completed.<sup>4</sup> By the light of torches the following day was proclaimed a fast-day. Madruzzo's auxiliary improvised a procession of intercession by the clergy of the city on the morning of 12 December and the prelates were invited to a preparatory conference in the afternoon in the Palazzo Girolidi. In spite of the haste with which these arrangements were made, everything went according to plan. The procession of intercession took place; at the conference the legates submitted the brief of inauguration; but they rejected Pacheco's proposal that the Bull accrediting them should also be read. They did so in terms of such sharpness that Seripando felt compelled to appeal to the spirit of Christian charity. All the shops in the city were closed. In silence, prayer and fasting clergy and people awaited the great moment. But before we ourselves relive it with them it will be well to cast a glance at the stage on which the great event was enacted—the city of Trent as the theatre of the Council.

<sup>1</sup> Admonitions to the Roman prelates in *C.T.*, VOL. X, p. 232, ll. 9 and 24; p. 251, l. 4; p. 262, l. 2. The following prelates returned to Trent: on 19 November, the general of the Servites (*C.T.*, VOL. X, p. 248, l. 11); on 21 November, the Bishops of Belcastro and Termoli (*ibid.*, VOL. I, p. 330, l. 22); on 3 December the Bishop of Feltre (*ibid.*, VOL. I, p. 342, l. 11); on 11 December the Archbishop of Armagh (*ibid.*, p. 350, l. 33). The Portuguese Hieronymus ab Oleastro, whose arrival had been announced some time before (*C.T.*, VOL. X, p. 248, l. 24), reached Trent on 5 December (*ibid.*, VOL. I, p. 347, l. 34; VOL. IV, p. 443).

<sup>2</sup> *C.T.*, VOL. X, p. 260, l. 31.

<sup>3</sup> *C.T.*, VOL. I, p. 350, l. 36. The delay was due to the Roman courier having broken a leg and the messenger who took his place having been held up by a swollen river. He was the bearer of the brief of inauguration of 4 December and one dated 5 December which empowered the proxies of the German bishops to vote at the Council, *C.T.*, VOL. IV, pp. 442 ff., and Farnese's letter of 7 December, *ibid.*, VOL. X, p. 267 f.

<sup>4</sup> For the preparations in the cathedral see *C.T.*, VOL. I, p. 315, l. 16; p. 342, l. 20; p. 348, l. 28. The legates' decision with regard to the Palazzo Girolidi, *ibid.*, p. 338, l. 31. On the congregation of 12 December, Severoli, *C.T.*, VOL. I, p. 1 ff.; Seripando, *ibid.*, VOL. II, p. 403 f.; Massarelli, *ibid.*, VOL. I, pp. 400 ff.; VOL. IV, p. 445 f.

## The Theatre and the Inauguration

TRENT owed its choice as the theatre of the Council both to its geographical situation and to its juridical status. Situated at the gate of Italy and even then a predominantly Italian city, it nevertheless belonged to the Holy Roman Empire of the German nation and was subject to the territorial overlordship of its bishop, so that it answered both the express wish of the Curia that the Council should be held in an Italian city and the demand of the German Estates for a Council in "German lands". It may well be that it was the future Cardinal Cles who as early as 1524 first drew the Emperor's attention to these peculiarities of his episcopal city.<sup>1</sup> When Paul III convoked the Council in 1536 Trent was again mentioned,<sup>2</sup> though it had to yield to Mantua, which was at least an imperial fief and with its 25,000 inhabitants was able to offer far better accommodation, while its situation in the fertile plain of the Po and its waterways greatly eased the problem of supplies for the considerable number of people whom the Council was bound to draw thither. When Mantua was dropped, similar advantages recommended Vicenza, a Venetian, hence a neutral city. For years it was regarded as the chosen locality until the Republic withdrew its consent. Milan, also an imperial fief, would have been even more suitable, but when it became an apple of discord between Charles V and Francis I the latter's consent could not be hoped for. As for Ferrara, Piacenza and Bologna, they belonged either indirectly or immediately to the Papal States, and thus could not be considered on account of the German Protestants. So it was once more the Emperor who on the occasion of his meeting with the Pope at Lucca proposed Trent<sup>3</sup> in preference not only to the above-named cities of northern Italy, but even to Cambrai, which had in its favour a similar juridical status. His choice was eventually agreed to by

<sup>1</sup> Charles V to the Duke of Sessa, 23 July 1524, Heine, *Briefe*, p. 618 f.; Balan, *Monumenta*, p. 356 f.; *Cal. of St. Pap., Spain*, vol. II, p. 649.

<sup>2</sup> Albèri, *Relazioni*, vol. II, iii, p. 316. Vergerio's reports show that at this time Cardinal Cles and Duke Henry of Brunswick had suggested Trent, *N.B.*, vol. I, pt I, pp. 343, 346.

<sup>3</sup> *C.T.*, vol. IV, p. 207, n.1.

Rome.<sup>1</sup> This compromise solution was necessitated by circumstances but was firmly adhered to in spite of endless objections to the choice.

These objections were inspired less by the teaching of the canonists,<sup>2</sup> than by another consideration, i.e. that the city chosen for the seat of a Council should not only be able to guarantee the personal safety and the freedom of vote of those attending the Council, but that it should also be in a position to provide food and accommodation for them. For months the legates had been waiting at Trent for the order to open the Council, yet all the time both they and their master took it for granted that the city was unequal to the demands that would be made upon it.<sup>3</sup> Even the bishop of the place agreed that the city was "inadequate" and "not very suitable".<sup>4</sup> Before long it became evident that he allowed himself to be unduly influenced by the wishes of the Italian prelates, who desired a translation to central Italy. However, in spite of all objections, Trent remained the conciliar city. Its choice was a compromise which solved the long-drawn controversy about the locality of the Council, and in the end the city was found to be far better adapted to the purpose than its own bishop had been prepared to believe.

Situated in the valley of the Adige, on the Brenner route which since the fifteenth century had become increasingly important for traffic between North and South, at a point where the Pass of Pergine opens direct communication with the Val Sugana and thence with Venice,<sup>5</sup>

<sup>1</sup> C.T., VOL. IV, pp. 217 f., 224, hinted at in the convocation Bull, p. 229, l. 43. However, in 1543 and even in 1545 Frederick Nausea, in his work *Super deligendo futurae in Germania synodi loco catacrisis* (Vienna 1545), recommended Cologne or Ratisbon for the Council, Metzner, *Friedrich Nausea*, p. 87 f.; *Epp. misc. ad Nauseam*, p. 364.

<sup>2</sup> D. Jacobazzi, *De Concilio*, VOL. I, BK II, art. 1 (fol. 74); Ugoni, *De Conciliis*, fol. 60 or, designates as suitable for a Council "civitates et loca insignia quae annona et rebus ad victum convenientem necessariis abundant . . . habito in primis respectu quod ea in provincia concilium convocaretur in qua haereses et causae alie propter quas congregabantur, vigeant". In his *De auctoritate conciliorum*, cap. 4, fol. 14<sup>v</sup>, Campeggio requires that the locality of the Council should be free of "difficultates annonae", have a wholesome climate, easy and safe of access and able to assure the freedom of the vote. In his *Rerum conciliarium libri V* (Leipzig 1538), Nausea (BK III, ch. 13, fol. xxii), adds the further condition that the place should be easy to defend and that there be a supply of books for the members of the assembly. Nausea thought that Mantua would meet nearly all these conditions.

<sup>3</sup> C.T., VOL. I, p. 239; VOL. X, pp. 175, 183; so also Dandino's instructions, *ibid.*, VOL. IV, p. 430.

<sup>4</sup> C.T., VOL. I, pp. 288, 297. On the rumours of a translation to Metz, Mainz or Cologne, cf. *Cal. of St. Pap., Spain*, VOL. VIII, p. 210.

<sup>5</sup> Short descriptions of the city by members of the Council: Sanfelice, C.T., VOL. IV, pp. 254 ff.; Massarelli, C.T., VOL. I, p. 156 f.; Vega, in the appendix to the

Trent could boast a favourable position for communications, though in this respect it was not equal to the other cities, such as Verona, Milan, Lyons and Basle, which had been considered as possible localities for the Council. Its markets,<sup>1</sup> chiefly of cattle and horses, had been thrown in the shade by the fairs of Bozen, but they were nevertheless of more than merely local importance, thanks to the attendance of merchants from Venice, Ferrara, Mantua, Brescia and even from Germany. Communications with Italy were facilitated by the circumstance that both goods and persons could easily be transported on Lake Garda and on the Adige, which at that time was navigable.<sup>2</sup>

At a time when men's health was believed to depend on climate and atmospheric conditions to an even greater extent than today, the climatic conditions of the city had an importance which should not be underestimated. It was easy—much easier than at Mantua—to escape from the summer heat of the deep valley of the Adige, which was often oppressive,<sup>3</sup> by retiring to the surrounding villa and vineyard-dotted

Brescia edition of the decrees of the Council of the year 1563, and frequently reprinted; Milledonne, in A. Baschet, *Journal du Concile de Trente* (Paris 1870), pp. 31 ff.; Torelli, *Le Plat*, VOL. VII, II, p. 161 f. These writers confine themselves to general impressions, hence Michelangelo Marini's book, *Trento con il suo Sacro Concilio* (Trent 1673), though written a whole century after the Council, nevertheless retains its value, especially because of the account it gives of ecclesiastical conditions. The best modern description is that of C. De Giuliani, "Trento al tempo del Concilio", in *Archivio Trentino*, I (1882), pp. 145-202; II (1883), pp. 129-45; III (1884), pp. 3-82; also reprinted separately under the title *Trento* (1884); brief resumé by V. Casagrande in H. Swaboda's collective work, *Das Konzil von Trient, sein Schauplatz, Verlauf und Ertrag* (Vienna 1912), pp. 9-28; supplemented on the historical and artistic side by G. Fogolari, *Trento* (Bergamo, undated). G. Cuchetti's *Storia di Trento* (Palermo 1939), for the sections treating of the sixteenth century (pp. 133 ff.), is based on second-hand material and of no value. A. Gallante, *Trento ed il Concilio Ecumenico tridentino* (Rome 1922), offers surprisingly little from the point of view of local history.

<sup>1</sup> Massarelli, a diligent visitor of the market, supplies useful information. For the fair of St Vigilius, which lasted ten days, 3000 to 4000 horses and other cattle had been collected in pens outside the city walls, *C.T.*, VOL. I, p. 209. At the Michaelmas fair which also lasted eight days, Cervini bought two horses while Massarelli acquired several dozen spoons, mirrors, etc., *C.T.*, VOL. I, pp. 277 f., 280 f. The Fair of the Dedication began on 18 November, *C.T.*, VOL. I, p. 329. On the improvement of the Brenner road, by carrying it from Ritten to the valley of Eisack—an operation executed by Sigismund of Tirol, see O. Wanka von Rodlow, *Die Brennerstrasse im Altertum und Mittelalter* (Prague 1900), pp. 140-70.

<sup>2</sup> Mendoza left on 11 September 1545 by boat down the Adige, *C.T.*, VOL. I, p. 265. After the translation many prelates despatched their luggage by "zattere", *C.T.*, VOL. XI, p. 136. The corn bought in Bavaria in 1562 was transported from Bronzolo on the Adige; see below, p. 550, *n.4*.

<sup>3</sup> Thus, e.g., the legates did not attend the banquet at the castle on 26 June 1545 on account of the heat, *C.T.*, VOL. I, p. 210. On 6 July Massarelli reports that by that date the terrible heat had lasted a whole month, *ibid.*, p. 210.



hills until towards the end of August, when the first falls of snow on the Alpine peaks brought relief.<sup>1</sup> The severe Alpine winter, which began about the end of November,<sup>2</sup> was of course a sore trial for the southerners, who found it hard to put up with the local earthenware stoves and the consequently overheated rooms. Cardinal Cervini installed an iron stove in his study; the two Portuguese Dominicans at San Lorenzo were given a stove at the expense of the Council; some prelates ordered fur coats from Venice. The less exacting secretary of the Council, Massarelli, was satisfied at first with a fur cap which he bought at a fair on the occasion of the anniversary of the dedication of the cathedral church,<sup>3</sup> but as the cold became ever sharper he had a fur-lined doublet made.<sup>4</sup> The South Italians found the icy *tramontana* of the valley of the Adige unbearable. To them it seemed incredible that it should be necessary as late as 7 May 1545 to light fires in the Palazzo Prato, and that a few days later the mountain peaks should be powdered with fresh snow.<sup>5</sup> Before long a number of prelates complained that the climate of Trent did not agree with them. Mendoza, the imperial ambassador, left the city on 11 September 1545, on the plea that his physicians recommended a change of air.<sup>6</sup> When Cardinal Del Monte complained to Fracastoro, the official physician of the Council, of pains in the throat, the latter told him bluntly: "You commit suicide if you remain here any longer", and his medical colleague Fregimellica of Padua asserted with the utmost conviction that his brief stay at Trent had ruined his health. In the autumn of 1546 the legates drew up a long list of prelates who had arrived in good health and had left as sick men: Cardinal Pole's name headed the catalogue.<sup>7</sup> In the autumn of 1562 the Bishop of Bergamo refused to return to the Council on the plea that in the opinion of medical men the cold air of Trent was extremely injurious to his eyes.<sup>8</sup> We shall

<sup>1</sup> *C.T.*, VOL. I, p. 246 (20 August). On 20 October the mountains were covered with snow down to within two miles (3 km.) of the city and the next day to within one mile, *ibid.*, p. 294 f.

<sup>2</sup> On 18 November 1545 the snow had reached the near-by Sardagna. On the 27th there prevailed "grandissimo freddo" and on the 29th, when the legates came out of church, the street was covered with a carpet of snow of three fingers' thickness, *C.T.*, VOL. I, pp. 328 f., 338. For repairs to the chimney in the Palazzo Prato and the erection of a stove in San Lorenzo in November 1546, cf. Calenzio, *Doc. ined.*, pp. 26, 30.

<sup>3</sup> *C.T.*, VOL. I, p. 392.

<sup>4</sup> *Ibid.*, p. 367.

<sup>5</sup> *Ibid.*, pp. 185, 188.

<sup>6</sup> *Ibid.*, p. 265.

<sup>7</sup> Report of the legates, 20 September 1546, *C.T.*, VOL. X, p. 654 f.; cf. p. 183, l. 4.

<sup>8</sup> St. Arch., Mantua, Busta 1942 (8 October 1562) or.

see later on to what extent the climate of Trent influenced the translation of the Council to Bologna.

While an adequate quantity of meat and fish,<sup>1</sup> butter and cheese, fruit and wine was available, the supply of wheat for bread and oats for the horses was unsatisfactory. The district scarcely produced one-half of its own requirements and was accordingly obliged to obtain the remainder from Germany in exchange for its native produce, chiefly wine.<sup>2</sup> During the Council any surplus produce was consumed on the spot, so that shortages had to be made good by imports from the neighbouring districts. However, the necessary export and transit permits were only granted when there was a good harvest. As early as the autumn of 1545 the commissary of the Council found it difficult to obtain grain for bread from Mantua and Cremona, where bad weather had damaged the crops. On 22 September he reported to Rome that unless wheat could be procured from the Papal States before the onset of winter it would be impossible to prevent shortages and high prices.<sup>3</sup> In the spring of 1546 Venice accordingly granted the free transit of 6000 loads of corn and 3000 loads of oats from the Papal States, but from its own territory it only allowed the export of 500 small loads of oats from the districts of Vicenza and Verona.<sup>4</sup> In the winter of 1546 Ferrara supplied 3000 loads of wheat.<sup>5</sup> Soon afterwards the commissary of the Council asked the Duke of Mantua for 2000 loads of oats, for the transit of which the consent of Venice was required.<sup>6</sup>

Similar difficulties reappeared during the second period of the Council. In May 1551 Madruzzo, evidently from fear of not being able to hold out until the harvest, asked the Duke of Mantua for 300 sacks of corn.<sup>7</sup> Shortly before the opening of the third period of the Council the Curia, taught by previous experience, approached the

<sup>1</sup> At the banquet on St Martin's Day 1545 each meat dish was followed by fish, *C.T.*, VOL. I, p. 316. In the winter of 1551, when fishing at Trent came to an early termination owing to the cold, Madruzzo requested Cardinal Gonzaga to despatch four or five loads of fish every week, *St. Arch.*, Mantua, Busta 1404 (27 November 1551) or.

<sup>2</sup> Thus Milledonne in Baschet, *Journal du Concile de Trente*, p. 32. In 1542 Sanfelice said that the available provisions in the city and neighbourhood would only last three months, *C.T.*, VOL. IV, p. 264.

<sup>3</sup> *C.T.*, VOL. IV, p. 432 f.; VOL. X, p. 199, l. 5.

<sup>4</sup> The papal nuncio at Venice, Giovanni della Casa, paid 60 scudi for the issuing of the required documents; this sum had to be refunded by the merchants, Montepulciano, *Bibl.*, Ricci, 4, fol. 13 (24 April 1546); *ibid.*, fol. 70<sup>r</sup>, the legates' reply of 10 May. These are probably the deliveries mentioned in *C.T.*, VOL. X, p. 411.

<sup>5</sup> *St. Arch.*, Mantua, Busta 1409 (22 November 1546) or.

<sup>6</sup> *Ibid.*, 7 January 1547, or.

<sup>7</sup> *Ibid.*, Busta 1404 (5 May 1551) or. On 5 September the Emperor promised to have wheat sent from Spain via Genoa and meat from Hungary, *C.T.*, VOL. XI, p. 643.

Republic of Venice, the Dukes of Ferrara and Mantua and the governor of Milan for the purpose of securing licences for the export of corn.<sup>1</sup> Owing to the failure of the harvest that year the replies were either in the negative or the amount granted was inadequate.<sup>2</sup> It became therefore necessary in the autumn of 1561 to import from the Papal States—actually from the Marches—at the expense of the Apostolic Camera, 1000 loads of corn. The grain was transported on barges from Ancona to Riva by way of the Po and the Mincio. From Riva, Francesco Manelli, the nephew of the Depositary, had it taken to Trent in fifteen convoys of twenty-three to twenty-five carts each between April and September 1562. On 1 February the legates fixed the price at thirty-eight *caientani* per *staro*.<sup>3</sup>

For the following economic year the legates appealed for help to King Ferdinand and the Duke of Bavaria. Through Michele Borzella (Barcella), a corn dealer of Torboli, a considerable quantity of grain (10,000 *stari*) was bought at the fair of Wasserburg. In the spring of 1563, as soon as navigation on the Adige reopened, the grain was transported in barges from Bronzoll to Trent, where it was stored. The German corn was a good deal dearer than the Italian; its price was fifty *caientani* per *staro*. On this the members of the Council lived until the conclusion of the assembly. The remnant was sold at half-price (twenty-six *caientani*).<sup>4</sup>

<sup>1</sup> J. Šusta, *Die römische Curie und das Konzil von Trient unter Pius IV* (Vienna 1904-14), VOL. I, p. 67 f. Brief of 17 January 1561 to the Duke of Mantua, St. Arch., Mantua, Busta 3356.

<sup>2</sup> On 18 and 24 August Cardinal Gonzaga personally inquired from his nephew how much wheat he would be able to send to Trent, St. Arch., Mantua, Busta 1409 orr.

<sup>3</sup> Vat. Arch., Concilio, 146, fol. 448<sup>r</sup>; *ibid.*, the pass dated 3 March 1562, for Ser Berardino Camerutio and Giovan Paulo Ungini dalla Piro della Marca, fol. 451<sup>r</sup>. The documents relating to transport (e.g. the agreements with skippers Simon di Giovanni of Ancona and Niccolò de Marco of Ragusa, and with the merchant Francesco Ambrosi of Florence, the customs' receipts of Count Arco, etc.) are in Rome, Bibl. Vallicelliana, Cod. L. 40, fols. 178<sup>r</sup>-247<sup>v</sup>, cop.; *ibid.*, fols. 229<sup>r</sup>-247<sup>v</sup>, Francesco Manelli's account book.

<sup>4</sup> The contract with Borzella, 27 September 1562, and other documents in Bibl. Vallicell., Cod. L. 40, fols. 194<sup>r</sup>-220<sup>r</sup>; *ibid.*, fols. 267<sup>r</sup>-279, Francesco Manelli's account book between December 1562 and October 1563. In the course of the preliminary negotiations, 7 September 1562, Girolamo Faleti informed Cardinal Gonzaga from Prague that the Duke of Bavaria had delivered the "tratta" for 1000 sacks of corn. On 14 September the Archbishop of Prague wrote that the Emperor had instructed the government of Innsbruck to deliver the required corn at Trent free of duty, St. Arch., Mantua, Busta 1943 or. The legates' correspondence with the government of Innsbruck about the purchase of 3000 "stara" of oats for the horses at Hall (Ala) "perchè si patisce assai di biada de cavalli", Vat. Arch., Concilio, 146, fol. 461<sup>r</sup> (1 November 1562); *ibid.*, fol. 464<sup>r</sup> (3 January 1563), a letter of thanks for 100 barrels of corn, a request for another 100 and for 50 barrels of oats for the horses.

As an ecclesiastical corporation the Council claimed immunity. Whereas the city of Basle had refused to exempt the members of the Council from the charges laid upon the rest of the population and only agreed to a compromise after several years, it was in the nature of things that the ecclesiastical overlord of Trent would grant to the members of the Council immunity from taxation,<sup>1</sup> but prolonged negotiations were required before immunity from customs' dues for supplies to the Council could be obtained from the secular lords: the toughest of them all were the Counts of Arco.<sup>2</sup> With regard to other articles of food the prophecy of the commissary of the Council, that there would only be a rise in the price of poultry, game, eggs and perhaps wine, was unfortunately not fulfilled.<sup>3</sup> The authorities of Trent forbade all exports, but this prohibition could not by itself stem the rise in prices for the simple reason that the amount of food available in the country was not equal to the increased demand. Imports at the proper time would have kept down prices; but the provision merchants hesitated to lay in large stocks before the actual opening of the Council, and even after its inauguration there was no guarantee against its premature translation or its dissolution.<sup>4</sup> Supply remained therefore substantially the same while demand kept rising—hence prices also. On his arrival at Trent Massarelli found many items, such as beef and salt, imported from Hall near Innsbruck, extremely cheap.<sup>5</sup> But before long hoarding began. Four French prelates laid in a large stock of wine with the result that the price of wine rose at once by 20-30 per cent.<sup>6</sup> Beef rose from eight to eleven *quattrini* and a load of hay from six to ten *lire*.<sup>7</sup> The worst feature was the dearth of fodder. Canon Strenberger accordingly advised Nausea, Bishop of Vienna, to come with as few

<sup>1</sup> *C.T.*, VOL. I, p. 654; for the situation at Basle, see R. Wackernagel, *Geschichte der Stadt Basel*, VOL. I (Basle 1907), p. 486.

<sup>2</sup> On 11 February 1562 the legates requested Julio, Battista, Oliviero, Francesco and Orsola, Counts of Arco, through Gabriele Calzoni, not to create further difficulties for the transport of grain, "cosa che da ogni altra persona havremmo aspettato che da lei", *Vat. Arch.*, Concilio, 146, fol. 448<sup>r</sup>. In a memorial which accompanied their letter they stated that the corn had been kept back by the Arcos "tanti giorni". Further details on the incident in Calzoni's letters to the castellan of Mantua, 12 and 16 February 1562, *St. Arch.*, Mantua, Busta 1409 or.

<sup>3</sup> *C.T.*, VOL. IV, p. 256.

<sup>4</sup> In 1542 Sanfelice proposed that tradespeople should be encouraged to lay in betimes a considerable stock of goods, *C.T.*, VOL. IV, p. 264, but his advice was not acted upon. Losses were of course incurred in the purchase of grain by the Apostolic Camera in 1562.

<sup>5</sup> *C.T.*, VOL. I, p. 156 f.

<sup>6</sup> *Ibid.*, p. 233.

<sup>7</sup> Giuliani, *Trento*, p. 8.

horses as possible<sup>1</sup> and in 1562 so exalted a personage as Cardinal Hohenembs kept only two horses for his personal use.<sup>2</sup>

The maximum prices agreed upon by the commissary of the Council and the civic authorities<sup>3</sup> were of course circumvented as soon as supplies became scarce. In order to increase meat supplies, butchers were ordered in 1561 to import four hundred oxen and three thousand fattened cattle from Germany,<sup>4</sup> but it is not possible to ascertain whether this attempt to regulate the market proved successful. At any rate, laments over the shortage never ended. We may unhesitatingly ignore the complaints during the waiting period of 1545, for they must be traced back to the wish for a translation of the Council. At a later date they were undoubtedly justified to some extent and the lament of Hohenwarter, the representative of Basle<sup>5</sup>—"everything is exceedingly dear"—was re-echoed by the Fathers of the Council with rare unanimity.

With its 1500 houses Trent offered adequate accommodation for a gathering of moderate size,<sup>6</sup> and the better class burghers were in a position to evacuate their town houses and to retire to their villas and vineyards in the neighbourhood.<sup>7</sup> Nevertheless the finding and

<sup>1</sup> *Z.K.G.*, XXI (1901), p. 558 (15 July 1551); on 29 November 1551 Sleidan wrote that the costliest items were bread and oats, H. Baumgarten, *Sleidans Briefwechsel* (Strasbourg 1881), p. 177.

<sup>2</sup> Hohenwarter to Rebstock, 6 August 1562, *Basler Zeitschrift*, XLI (1942), p. 79. However, from the list of members of the Council printed at Riva in 1562 we learn that the cardinal had 22 horses, so that 20 must have been stabled outside the city.

<sup>3</sup> Giuliani prints several price lists in *Archivio Trentino*, III (1884), pp. 5 ff., but undated. I know of two, the date of which is certain, viz. (1) "Prezzi delle vettogaglie mandati dal Rev. Vescovo di Cava con le lettere de 13 di ottobre 1542", Vat. Arch., Concilio, 77, fols. 40<sup>r</sup>-41<sup>r</sup>, the result, according to *C.T.*, VOL. IV, pp. 291-3, of an agreement between the commissary of the Council and the city council; (2) The price list for provisions and house rents of the year 1561, *ibid.*, 12, fols. 127<sup>r</sup>-128<sup>v</sup>, printed in *C.T.*, VOL. VIII, p. 985 f. The "Memoriale della valuta delle robbe in Trento che non mancano mai", Vat. Lib., Vat. lat. 3944, fol. 156<sup>v</sup>, must be dated in December 1561. It only includes provisions. The prices are somewhat lower than in the foregoing list, thus we read "circa li frutti l'havemo meglio mercato al doppio che non avete a Roma". The rate of exchange of the various currencies at Trent is noted in a table printed at Brescia in 1563 as an appendix to a "provinciale". There is a copy in the Vat. Lib., Racc. gen. Concilio, VOL. IV, 269, int. 31.

<sup>4</sup> Giuliani, *Trento*, p. 83.

<sup>5</sup> *Basler Zeitschrift*, XLI (1942), p. 80 (31 August 1562).

<sup>6</sup> *C.T.*, VOL. I, p. 156. In my opinion 1500 is an exaggeration. Equally exaggerated is Milledonne's statement (Baschet, *Journal du Concile de Trente*, p. 32) that Trent had accommodation for 300 prelates and their suites as well as for 20 "autres personnages"—viz. probably diplomatists.

<sup>7</sup> For instance the Trent notary Malpaga. In 1546 he let his house in the S. Maria quarter, with 2 beds and stabling for 6 horses, to one of the bishops and betook himself to Cognola, G. Ciccolini, *Riflessi del Concilio di Trento nei registri del notario Giorgio Malpaga* (Rovereto 1929), p. 8.

allocation of lodgings was the most anxious problem with which the commissary of the Council had to deal in conjunction with the civic committee set up for that purpose.<sup>1</sup> It was at first intended to lodge the various nations in separate quarters. Statistics of the available accommodation drawn up on this basis in the autumn of 1542<sup>2</sup> showed that in the quarter of San Benedetto there was accommodation for 15 cardinals, 10 bishops, 18 persons of rank and 71 domestics: a total of 252 beds and stables for 399 horses being available. In the quarter of S. Maria Maggiore there was accommodation for the same number of persons of rank and for 93 domestics. Beds numbered 170 and there was stabling for 626 horses. It was hoped that in the quarter of San Pietro accommodation would be found for 13 cardinals, 14 prelates, 10 persons of rank, 128 domestics and stabling for 827 horses. In the quarter of S. Vigilio it was thought that 18 cardinals, 17 prelates, 7 persons of rank and 56 servants could be put up and stabling found for 515 horses. The number of beds available in the former district was 311 and in the latter 221. The details concerning the accommodation for cardinals show that the organisers reckoned with the presence of the whole of the Sacred College, though this depended on whether the Pope would take part in the Council, an eventuality which was at first considered. The episcopal palace was reserved for the pontiff's residence.

The plan for the allocation of lodgings drawn up in 1542 was eventually dropped, no doubt from a fear lest the separate accommodation of the nations should prove a pretext for their isolation and above all for the objectionable voting system that had been adopted at Constance. In point of fact the numerical preponderance of the Italians made this impossible; it was also too optimistic. There was room indeed for 100 prelates and a corresponding number of diplomatists, but accommodation was not only required for the permanent members of the Council but likewise for visiting princes and courtiers, jurists and theologians. Where were they to be put up if the inns were also

<sup>1</sup> There were actually two commissions, one of four members, whose duty it was to make an inventory of lodgings (*C.T.*, VOL. IV, p. 255) in the direction of the four city gates, Aquila, Ponte, S. Martino, S. Croce; another commission of eight members, two for each quarter, was to fix prices. They were, for S. Benedetto, Enrico di Povo and Tommaso Cazuffo; for S. Pietro, Girolamo Tono (Thun) and Domenico Slosser; for S. Maria, Girolamo Balduino and Battista Galasso; for Borgo Nuovo, viz. S. Vigilio, Bonaventura Calepino and Dr Calvete: Giuliano, *Trento*, p. 5.

<sup>2</sup> Vat. Arch., Concilio, 77, fols. 45<sup>v</sup>-59<sup>v</sup>; the date is inferred from *C.T.*, VOL. IV, p. 265.

commandeered?<sup>1</sup> This explains how it came about that when Cardinal Alessandro Farnese passed through Trent with a large suite in November 1546, Ludovico Strozzi, his companion, was unable to find lodgings and would have had to camp in the open street if the house of the Bishop of Fano, who happened to be away, had not been put at his disposal.<sup>2</sup>

Moreover, inadequate allowance had been made for the circumstance that many foreign prelates, such as the three Rhenish archbishops<sup>3</sup> and most of the French and Spanish bishops,<sup>4</sup> were accompanied by suites of between 25 and 50 persons, not to speak of the courts of the cardinals. Ercole Gonzaga's following, for instance, comprised no less than 160 persons.<sup>5</sup> This explains why as early as November 1561, when the number of bishops present was still far below 100, only 12 houses were available for the accommodation of "great" prelates.<sup>6</sup> Later on, when the number of those entitled to vote rose to nearly 200, it became necessary to fall back upon the neighbouring localities for the accommodation of the servants and the animals. This eventuality had been considered from the beginning. In the above-mentioned statistics of accommodation of the year 1542 it was estimated that within a radius of 15 kilometres (c. 10 miles), some 2200 beds and stabling for 6591 horses were available. Another survey ordered by Madruzzo,

<sup>1</sup> The statistics of accommodation given above include 16 hostelries, 9 of which were in the quarter of S. Pietro, viz. Pesce, Rosa, Cavaletto, Corona, Cervia, Torre, Sole and two unnamed "osterie". The first two of the above named were elegant and spacious, with 25 beds each and stabling, the first for 50 horses, the second for 48. The remaining hostelries were more modest but the Cavaletto had 12 beds and stabling for 66 horses; Torre had 25 beds and stabling for 24 horses. The quarter of S. Benedetto had only 2 "osti", S. Maria had 3, S. Vigilio only boasted the "oste Antonio de la buona ventura"; immediately before the Porta S. Croce stood the Hosteria del Moro with 10 beds and stabling for 30 horses. The inn of the Two Swords in which Massarelli lodged (*C.T.*, vol. I, p. 156) is not included in this list. The Archbishop of Sassari also stayed at this inn for a while, and when he left he owed the innkeeper 10 florins, Calenzio, *Doc. ined.*, p. 8 (19 March 1546).

<sup>2</sup> St. Arch., Mantua, Busta 1409 (12 November 1546) or.

<sup>3</sup> The lists of their "gentiluomini", each of whom again had his own servants, were published by me in *T.Q.*, cxxii (1941), p. 247.

<sup>4</sup> In 1561 the Bishops of Oviedo, Coimbra and Salamanca had each a suite of 30 persons, Vat. lat. 3944, fols. 154<sup>r</sup>-156<sup>v</sup>.

<sup>5</sup> Sickel, *Römische Berichte*, vol. I (Vienna 1896), p. 21. Hohenembs's "familia" consisted of 70 persons, that of Hosius and Simonetta of 60 each, and that of Seripando of 50. On the other hand, in 1545 Cervini's household counted only 37 persons, *C.T.*, vol. I, p. 168.

<sup>6</sup> Calzoni to the castellan of Mantua, 10 November 1561, St. Arch., Mantua, Busta 1409 or. On 13 November 1561 the Bishop of Fiesole reports that lodgings had been found for 70 "famiglie", so that the "migliori alloggiamenti" were nearly all taken. It might be possible, though not easy, to find accommodation for another 100 "famiglie", St. Arch., Florence, Med. 490 to fol. 1073 or.

admittedly over a wider area, yielded even more favourable results: 24 localities on the right bank of the Adige would alone provide lodgings for 2699 persons and stabling for 3746 horses.<sup>1</sup> Though the lodging of the servants in the neighbouring localities entailed a number of inconveniences, it provided at least a partial solution of the housing problem, which towards the end became more and more pressing.

One consequence of the shortage of houses was a fantastic rise in rents. By the autumn of 1546 rents alone were as high at Trent as the total cost of living elsewhere. Thus it came about that by the end of one year's stay at Trent Mignanelli had run through all the money he had put by for the Council.<sup>2</sup> In 1551 for one living and sleeping-room, including two meals a day, the historian Sleidan had to pay 12 Italian crowns (florins) a week at the inn of "The Golden Rose".<sup>3</sup> A price list, drawn up in the year 1561<sup>4</sup> by a committee of burghers, put the rent of a prelate's three-roomed apartment with only the most indispensable furniture, but including bed-clothes, at 3 scudi a month, and for each additional bed-sitting-room another scudo, according to requirements. To this was added the rent of stabling, payment for the use of kitchen utensils and other items of this kind. These prices were still tolerable; the only danger for the lodger was the practice of charging for special services. The commissary of the Council accordingly proposed fixed prices, as, for instance, 16 florins a month for a large apartment with six to eight rooms with a corresponding number of beds, and stabling for eight horses. He represented to the committee that if the Council went on for some three or four years those who let their houses would be able to recover all the money they had originally spent on them, and as for beds and other furniture, they would get their value two or three times over.<sup>5</sup> The prices actually paid soon outran every prearranged limit. Melchior Lussy, the Swiss envoy, was obliged to pay for his quarters—not very spacious ones to be sure—as much as 18 scudi a month,<sup>6</sup> while Hohenwarter paid 6 crowns a month for his one room. The rent of the Palazzo Roccabruna in which

<sup>1</sup> C.T., VOL. IV, p. 255; Giuliano, *Trento*, p. 7.

<sup>2</sup> C.T., VOL. X, p. 654. At the beginning of August 1545 Massarelli had rented a house for him for the sum of 11 scudi, *ibid.*, VOL. I, p. 231.

<sup>3</sup> Baumgarten, *Sleidans Briefwechsel*, p. 177.

<sup>4</sup> C.T., VOL. VIII, p. 986.

<sup>5</sup> Giuliano, *Trento*, p. 9 f.

<sup>6</sup> K. Fry, *J.A. (Ulpian) Volpe, Documente*, VOL. I, (Florence 1935), p. 324; the Florentine envoy, Giovanni Strozzi, paid 16 scudi, cf. Mellini to Cosimo, 17 June 1563, St. Arch., Florence, Med. 500, fol. 236<sup>r</sup> or.



Count Luna resided, amounted to 50 scudi a month.<sup>1</sup> The cost of living as a whole—that is food and lodging—according to the Archbishop of Zara in the autumn of 1561, amounted to 61 scudi a month for a prelate whose household consisted of four persons and who kept only one mount.<sup>2</sup> The historian Giovio arrived at much higher figures—but he was a journalist.<sup>3</sup> It follows that the sum of 25 scudi, which at that time was granted to needy prelates, was hardly adequate. Girolamo Muzio complained that he was unable to feed his household of ten persons with the 20 scudi granted to him.<sup>4</sup>

It was in the nature of things that the scarcity should affect relations between the members of the Council and the local population. At this time the inhabitants of Trent numbered between seven and eight thousand souls,<sup>5</sup> the majority of them Italians. Many of them were acquainted with the German language.<sup>6</sup> The Tuscan Torelli describes them as rough, suspicious, inordinately addicted to wine; he even suggests that Trent had become a city of refuge for the shady characters of both nations.<sup>7</sup> However, Torelli is alone in passing these unfriendly criticisms; as a rule the members of the Council merely complain of

<sup>1</sup> Hohenwarter to Lichtenfels, 31 August 1562, *Basler Zeitschrift*, xli (1942), p. 80; *Archivio Trentino*, III (1884), p. 51.

<sup>2</sup> Baluze-Mansi, *Miscellanea*, vol. IV, p. 200.

<sup>3</sup> *Archivio Trentino*, III (1884), p. 35. The Archbishop of Prague, who had a household of 30 persons and who was also under obligation to maintain Ferdinand's second envoy, Sigismund Thun, spent each month the enormous sum of 800 ducats, that is 200 ducats more than his total income, S. Steinherz, *Briefe des Prager Erzbischofs Anton Brus von Müglitz* (Prague 1907), p. 47.

<sup>4</sup> Muzio to Gonzaga, 14 March 1562, St Arch., Mantua, Busta 1939 or.

<sup>5</sup> That the number of 10,000 usually given is too high is shown by Massarelli's report (*C.T.*, vol. I, p. 197), in which he says that on the feast of the Blessed Trinity when, thanks to a charity, bread and cheese were distributed to all who visited the cathedral, 7800 portions had been prepared but only 4400 were actually asked for.

<sup>6</sup> Torelli writes: "Promiscuam habet linguam Teutonicam et Italicam, sed Itali omnes etiam, cum placet, Teutonice loquuntur", Le Plat, vol. VII, ii, p. 161. This is confirmed by Massarelli, who says (*C.T.*, vol. I, p. 169) that on Easter Day Madruzzo's servants, most of them Italians, sang the hymn "Christ ist erstanden" before dinner. It must be remembered that at this time the language frontier passed by Lavisio, as we learn again from Massarelli, *C.T.*, vol. I, p. 286. In his description of his journey in 1517, Antonio de Beatis writes: "In la Magna se entra ad uno miglio Tedesco da Trento, passato un ponte de un fiume che intra in Atice", L. Pastor, *Die Reise des Kardinals Luigi d'Aragona* (Freiburg 1905), p. 92. Utterly wrong is the assertion of the Dominican Peter Faber that the Germans were at the helm. The list of the "podestàs" of Trent given by C. Perini, *Il Concilio di Trento* (Trent 1863), p. 149, only mentions Italians for the period that concerns us though even for this period the unreliable Faber speaks of the Germans as "urbis rectores", *Evagatorium*, ed. C. D. Hassler, vol. I, p. 75.

<sup>7</sup> "Tridentinum Germanorum sentina, Italorum vero refugium est", Le Plat, vol. VII, ii, p. 161.

the covetousness of the citizens of Trent, but they overlook the fact that it was exceedingly rare that the causes of the scarcity were due to a single individual and that most of the inhabitants also suffered from the rise in prices. On their part the people of Trent frequently overlooked the great material advantages they derived from the Council and the munificence which the legates, to mention them alone, displayed towards the poor of the city.<sup>1</sup>

Occasions of friction between natives and strangers were of course bound to arise. Again and again the carrying of arms was either restricted or completely forbidden, though never entirely suppressed. As early as 1545 brawls occurred on the occasion of dances, so that it became necessary to forbid amusements of this kind both in the city and in the neighbouring villages.<sup>2</sup> Occasional acts of violence were also committed by the servants.<sup>3</sup> Such incidents were perhaps inevitable, but when it happened that even one of the prelates fell short of the standard of conduct that one would expect from a person of his standing, a painful impression was bound to be created. In spite of repeated requests by Madruzzo and the instant prayers of the family, the Bishop of Bertinoro, a Dominican, refused to give up in favour of his hostess who had fallen grievously sick during the bitter cold of the winter, the only room of the house that could be warmed. Thereupon the indignant neighbours resolved to deal with the case in their own way. They seized the room by force and threw the prelate's effects

<sup>1</sup> A glance through Antonio Manelli's account books in Calenzio is enough to show that actually every section of the population profited by the Council. The merchants Zerletta and Ronchini provided velvet and other material for the members of the assembly. The tailor Francesco made cushions for the chairs of the five cardinals; candles were bought in the shop of the "spetiali" Bernardino and Ceschi; the mason Giovanni got 3½ scudi for repairs to the chimney in the hall of the Council; a joiner of the name of Giovanni earned 5½ scudi by making footstools with a view to protecting the prelates' feet against the cold; Baldassare, a smith, made an iron pipe for the stove; the bookseller Battista provided three Missals for the sum of 3 scudi and 35 baiocchi. The convent of the Observants of San Bernardino received an alms of 12 scudi from the legates each month, Calenzio, *Doc. ined.*, pp. 3, 5 and *passim*. During the first period of the Council there was a daily distribution of bread to the poor at Santa Maria Maggiore, which cost the legates 60 scudi a month, *C.T.*, VOL. I, p. 338; however, the number of recipients, which Massarelli puts at 700 to 800, appears to me excessive. The Jesuits Lainez and Salmeron were able to clothe 76 poor people with alms collected by them from the prelates; Salmeron to St Ignatius, 30 September 1546, M.H.S.J., *Epistolae P. Alphonsi Salmeronis*, VOL. I (Madrid 1906), p. 29.

<sup>2</sup> *C.T.*, VOL. I, p. 217 f.

<sup>3</sup> On 1 August 1545 the Bishop of Cadiz's cook was arrested for attempted rape, *C.T.*, VOL. I, p. 228 f.; on 30 December a familiar of the Archbishop of Aix kicked a servant girl in the open street, *ibid.*, p. 365.

into the street. When he complained to the legates, Cervini gave him the only appropriate piece of advice—to hold his tongue.<sup>1</sup>

To regard incidents of this kind as the rule and to picture the relations between natives and strangers as a permanent warfare would be contrary not only to the simple reflection that unpleasant incidents never fail to be chronicled whereas pleasing ones are only rarely recorded, it would also be at variance with what actually happened, as for instance the rich donations which the Bishop of Verdun, on his departure from Trent, left to his host and family and to a merchant—probably the one who had supplied goods to him—to a painter and to several poor priests and lay people.<sup>2</sup> Nor should we allow ourselves to be unduly impressed by the laments about the scarcity of supplies and the climate; least of all should we judge conditions by modern standards. Otherwise would it have been possible, as late as 1562, that is at a time when the Council underwent its most serious crisis, for a bishop to state in open session that there was an abundance of food at Trent and that the health of the members of the Council left nothing to be desired? <sup>3</sup> In his description of the city Vega not only praises its cleanliness and the comfort of its houses and extols the excellence of its wines and its bread but, as regards the inhabitants, he testifies that they were humane, decent and easy to get on with. There can be no question but that he is nearer the truth than Torelli.

The traveller who approached Trent from the south would enter the city by the Porta S. Croce, which owed its name to the monastery of the same name outside the walls. Anyone coming from Venice, through the Val Sugana, entered through the Porta d'Aquila, hard by the bishop's castle; the traveller from the north passed through the Porta S. Martino and the suburb of the same name, along the road to Bozen. The city itself was divided into the above-mentioned quarters. The centre of the town, between the Adige and the Contrada Larga (the present Via Belenzani) which leads to the *duomo*, included the quarter of S. Benedetto. Contiguous to this were, towards the west the rather poor quarter of S. Maria, towards the south-east the aristocratic cathedral-close of S. Vigilio, where the gentry and the canons of the cathedral resided, and towards the north and below the bishop's castle, the German quarter of S. Pietro.<sup>4</sup>

<sup>1</sup> *C.T.*, VOL. I, pp. 363, 365.

<sup>2</sup> *Ibid.*, VOL. II, p. 877 f.

<sup>3</sup> *Ibid.*, VOL. VIII, p. 525.

<sup>4</sup> *Ibid.*, VOL. IV, p. 255. The plan of the city which Sanfelice forwarded to Rome in 1542 has unfortunately been lost—I use the one of 1563 reproduced by Merkle in *C.T.*, VOL. I.

This position of the German quarter was not fortuitous. From the end of the fourteenth century the bishops of Trent had all been Germans. Some of them had been the bearers of high-sounding names, such as Frundsberg and Liechtenstein. As for learning, none of them equalled the jurist Johannes Hinderbach of Hesse (1465-86), whose somewhat soft features are reproduced with lifelike fidelity on his monument in the *duomo*. The influence of the German bishops, but even more so the growing importance of the Brenner pass for the traffic between North Germany and Venice, had strengthened the German minority. It preserved its own manners and customs.<sup>1</sup> In the parish church of S. Pietro, a late Gothic edifice of comparatively modest proportions but famous on account of the relics of the child-martyr Simon, they had an altar and a preacher of their own<sup>2</sup>; they also had a hospital and a confraternity.

Among the ecclesiastical bodies the cathedral chapter with its eighteen well-endowed canonries (200 florins) and its three dignitaries (dean, provost and archdeacon) was the most important by reason of its right to elect the bishop. Though not exclusively aristocratic in its composition, it was nevertheless the instrument by means of which the nobility of town and chapter—the Thuns, Trautmannsdorfs, Lodrons, Roccabrunas, Sardagnas, Tabarellis, Albertis—shared in the government of the principality, though there can be no question in this case of a far-reaching independence like that enjoyed by the great imperial dioceses. The presence of an imperial captain was a constant reminder to bishop and chapter that the Counts of Tirol would not tolerate a really independent territorial authority within the boundaries of their domains. But in one respect the chapter of Trent resembled the chapters of the imperial dioceses—the moral and religious conduct of a number of its members left much to be desired.<sup>3</sup> The obligation of residence was not complied with and the liturgical services in the cathedral were carried out by twenty-six beneficed clergy. Built in the late romanesque style and consecrated by Bishop Vanga, the cathedral was dedicated to St Vigilius, patron of the city. Its chancel provided ample space for great pontifical functions.

<sup>1</sup> *C.T.*, VOL. I, pp. 186, 235, 315. Massarelli was also struck by the Germans' bad drinking habits during his stay as the guest of Secretary Oittinger (Ettinger), *ibid.*, p. 224.

<sup>2</sup> At Easter there was a sermon in Italian in the cathedral and another in German at S. Pietro, *C.T.*, VOL. I, p. 170.

<sup>3</sup> In 1542 Morone spoke very earnestly to some of the canons who were living in concubinage, *N.B.*, VOL. I, PT vii, p. 106.

Only two religious Orders were established within the city walls, the Hermits of St Augustine near S. Marco, memorable for the sojourn as well as the sepulchre of the unforgettable Seripando, and the Poor Clares near S. Trinità, not far from the *duomo*. The Franciscan Conventuals' house of San Francesco, situated not far from the present residence of the archbishop, counted fewer members than that of the Observants of S. Bernardino, which stood in a delightful part of the valley of Fersina and recalled the stay at Trent of the Sienese saint. In 1235 the Dominicans obtained possession of the former Benedictine abbey of S. Lorenzo, at that time situated beyond the Adige but since the regulation of the course of the river in the last century on the near side, by the railway station.<sup>1</sup> While the Council was in session the two Sotos and the Venerable Bartolomeo de' Martiri were wont to ponder their votes in its cool gardens and Pedro Soto found a grave in the now almost completely ruinous romanesque church. The prelates and theologians of the Franciscan Order, among them Alfonso de Castro and Andrew de Vega, found refreshment in the gardens of S. Francesco and S. Bernardino. The library of the Observants, already of considerable size at the beginning of the sixteenth century, was further enriched in 1549 by the collection of their General Lunello and in 1558 by that of Canon Erasmus Strenberger.<sup>2</sup> At the time of the Council the Carmelites and the Servites were not yet established at Trent.<sup>3</sup>

One drawback was the lack of a local printing press, though this deficiency favoured the secrecy of the negotiations. In 1478 and 1528 two books had been published by printers who made a short stay in the town, namely the story of the boy-martyr St Simon and Cardinal Cles's *Statutum tridentium*. It was only in 1584 that a printing press was permanently set up. During the third period of the Council the lack of a printing press was made good to some extent by a press set up at Riva by a Jewish physician of the name of Nino Jacob, who printed not only thirty-four Hebrew books but likewise fifty-seven works connected with the Council, mainly lectures and sermons. The latter works were commissioned by two publishers, Bozzola of Brescia and Alciati of Padua. These two publishers kept bookshops at Trent.

<sup>1</sup> S. Weber, *I Domenicani nel monastero di S. Lorenzo a Trento* (Trent 1938), p. 17. The abbey continued at S. Apollinare up to the fifteenth century, when the mensal revenues of the abbot were applied to the endowment of the cathedral provost, S. Weber, *L'Abbazia benedettina di S. Lorenzo a Trento* (Trent 1936), p. 56.

<sup>2</sup> *Contributi alla storia dei Frati Minori della Provincia di Trento* (Trent 1926), p. 189 f.

<sup>3</sup> The great Carmelite convent "alle Laste", situated near Cognola, was founded at a later date by Gallas, one of Wallenstein's generals.

We know the name of one bookseller during the first period of the Council, a certain Battista, from whom Antonio Manelli bought three Missals for use during the Council.<sup>1</sup>

At the beginning of the century, when Albrecht Dürer, coming from Bozen, drew the famous Indian ink sketch of Trent now preserved in the Albertina at Vienna, the city, seen from the direction of the Adige, with Torre Verde near the Porta San Martino, the mighty Torre Vanga by the one hundred and forty feet long wooden bridge over the Adige and the many towers of the houses of the nobles, still retained the aspect of a wholly medieval town. But by the time the Fathers of the Council entered it, it presented an entirely new aspect; what they saw was a town profoundly affected by the new artistic orientation of the Renaissance. This was due to the activities of the late Bishop of Trent, Cardinal Bernard Cles (1514-39).<sup>2</sup>

Born of a noble provincial family in the Val di Non, the son of an Italian father and a German mother—Dorothea Fuchs—Cles combined in his person the keen intelligence, the sober realism and the strong artistic sense of the Italian with German thoroughness and perseverance. The early death of his father was for him, the eldest of seven brothers, an incentive to make the most of his abilities. The study of law at Bologna enabled him within the space of a few years to make his way in the ecclesiastical administration of the diocese. He successively became archdeacon and counsellor to the Emperor Maximilian and at the death of Bishop Neudeck he succeeded him at the early age of twenty-nine. The heavy features in the Roman portrait of him by an anonymous Flemish master betray a character of unusual energy. The prominent chin, especially marked on the coins and medals of the Palazzo Tabarelli, further enhances the impression of an enterprising and indomitable spirit. A burning ambition, concealed but not

<sup>1</sup> G. Bampi, "Della Stampa e degli stampatori nel principato di Trento fino al 1564", in *Archivio Trentino*, II (1883), pp. 202-21; Calenzio, *Doc. ined.*, p. 10. However, Messer Niccolò, a Trent citizen, was one of the first representatives of his craft at Venice, as Ippolito Chizzola informed Cardinal Gonzaga on 15 August 1562, St. Arch., Mantua, Busta 1942 or.

<sup>2</sup> The biography by Janus Pyrrhus Pincius, *De vitis pontificum Tridentinorum libri XII* (Mantua 1546), from Book VI onwards, is a panegyric in the humanist manner. B. Bonelli, *Notizie storico-critiche della Chiesa di Trento*, vol. III, (Trent 1762) pp. 366-98; vol. IV, (Trent 1765) pp. 175-95. A modern biography, based on the copious archival material, is still wanting. The fourth centenary of Cles's death saw the publication of the popular booklet: *Bernardo Clesio vescovo e cardinale* (Cles 1939), and G. B. Emert's "Un elogio in onore di B. Clesio", in *Studi Trentini*, xx (1939), pp. 134-7. Fogolari, *Trento*, pp. 91-133, sums up the cardinal's building activities.

repressed by cautious restraint, urged him onward and upward. He became successively Ferdinand I's leading minister, then a cardinal, and even the tiara did not seem beyond his reach. He did not demur when before the conclave of 1534 the King of the Romans put forward his minister as a candidate for the Papacy.<sup>1</sup> In the religious contest he invariably fought with courage for the Catholic cause. Vergerio and Morone with one accord describe him as a pillar of the Catholic faith not only in the hereditary states of the Habsburgs but in the whole Empire.<sup>2</sup> In his own diocese he suppressed with inflexible severity any Lutheran movement as soon as it showed itself in the German districts, as, for instance, at Bozen and Egna, and in 1526 he sought a decision of the theological faculty of Tübingen on the teaching of a preacher who was making Tramina the theatre of his activities. A visitation carried out in the years 1537 and 1538 by Canon Alberto d'Alberti and George Ackerle, parish priest of S. Maria Maddalena, brought to light isolated cases of Lutheranism and Anabaptism in the German parts of the diocese, while the Italian section was entirely free from heresy. As regards moral conduct, the German clergy was, on the whole, superior to the Italian. The blameless priests of S. Pietro of Trent presented a pleasing contrast to certain clerics of the cathedral parish and those of S. Maria Maggiore. Here too, as in the Empire, the German section suffered from a great shortage of priests.<sup>3</sup>

Nor was the temporal side neglected. Cles succeeded in recovering a number of possessions and privileges which had been alienated under his predecessors. It is no exaggeration to say that he restored the temporal sovereignty of the diocese. In 1527 he issued a constitution for his episcopal territory. But the dearest wish of his heart was the reconstruction of his episcopal city. He was the real founder of the city as it presented itself to the prelates who came to Trent in 1545, the year of the Council. Building was one of the passions of this great man. He gratified it by drawing on the revenues of the diocese, which were estimated at 12,000 scudi, and on other rich sources of income

<sup>1</sup> H. Ausserer, "Kardinal Bernhard von Cles und die Papstwahl des Jahres 1534", in *M.Ö.I.G.*, xxxv (1914), pp. 114-39.

<sup>2</sup> *N.B.*, vol. I, PT i, p. 270; PT ii, p. 124. His death, Cardinal Farnese wrote, is "di grandissimo danno e iattura alla religione", *ibid.*, PT iv, p. 162.

<sup>3</sup> V. Zanolini, "Appunti e documenti per una storia dell'eresia luterana nella diocesi di Trento", in *Ottavo Annuario del Ginnasio pareggiato di Trento* (Trent 1909), pp. 10-30. For the visitation of 1537-8, on the basis of the acts, see A. Cetto, "Condizioni morali e religiose della diocesi di Trento alla vigilia del Concilio di Trento", in *Il Concilio di Trento*, III (1947), pp. 58-77.

which his growing influence opened for him. The latter were estimated at 50,000 scudi. Soon after entering upon office he began the task of modernising the city.<sup>1</sup> He ordered the removal of the outbuildings, most of them wooden structures, which narrowed the two main streets Contrada longa and Contrada larga (now Via Roma and Via Belenzani) and shut out light and air. All the more important streets were paved and the Fersina, a tributary of the Adige, was diverted and made to run through the city in a number of runnels, with a view to improving public hygiene and facilitating the fight of the frequent outbreaks of fire.<sup>2</sup> The *Statuto Clesiano* laid down stringent regulations for all new constructions; thereafter no new building was to be undertaken without the approval of the city council. The actual execution of these measures in the building sphere was entrusted to the city architect, Antonio da Vigolo. But the cardinal found time, even while at the court of Ferdinand I, personally to attend to the smallest details and to breathe something of his own energy into their execution. In the building sphere he himself set a shining example. In the western quarter there stood since 1520 the one-aisled Renaissance church of S. Maria Maggiore, where during the last session of the Council the general congregations were held. One of the ornaments of the building was Vincenzo Grandi's magnificent organ-loft. In accordance with the taste of the period the *duomo* was given an octagonal cupola. The year 1536 saw the erection in near-by Civezzano of the church *delle Grazie*, which at a later date the members of the Council loved to visit.<sup>3</sup> The episcopal castle of Selva, on the shore of Lake Levico, underwent so sumptuous a restoration as to call forth the admiration of Cervini and Massarelli when they came to inspect it, familiar though they were with the palaces of Rome.<sup>4</sup> The ancestral castle at Cles and Castel Toblino, on the northern shore of Lake Garda, were similarly restored.

But the cardinal's most important construction and the one in which he indulged his passion for building to the fullest was the *Magno Palazzo*, the magnificent Renaissance castle erected for him by Andrea Crivelli with the assistance of a number of Italian artists between 1528

<sup>1</sup> L. Bonfioli, "B. Clesio e il rinnovamento edilizio di Trento", in *Studi trentini*, xx (1939), pp. 269-99.

<sup>2</sup> Antonio de Beatis saw the new layout as early as 1517, Pastor, *Die Reise des Kardinals Luigi d'Aragona*, p. 92.

<sup>3</sup> Massarelli's pilgrimages to Civezzano in execution of a vow made during his illness, in *C.T.*, vol. I, pp. 247, 274 f.

<sup>4</sup> *C.T.*, vol. I, p. 266.



and 1536,<sup>1</sup> by the side of the old "Castel del buon Consiglio" which had been the residence of the bishops of Trent since the middle of the thirteenth century.<sup>2</sup> He thus acquired a residence which complied with every requirement for his personal safety as well as with the exacting demands of the refined taste of the Renaissance.<sup>3</sup> The audience-hall on the first floor was adorned with the portrait of Charles V, who on his return from the coronation at Bologna had stayed in the as yet unfinished palace, and that of Ferdinand I, who soon after its completion in September 1536 was received within its walls with truly regal splendour.<sup>4</sup> The spacious banqueting-hall on the second floor, with its coffered ceiling, was designed as a worthy setting for the entertainments which, as bishop and territorial lord of the conciliar city, he planned for the princes, cardinals, prelates and diplomatists who were to attend the Council. The adjoining circular room was adorned with the seven famous Flemish tapestries representing New Testament scenes which are now the property of the cathedral. A lateral wing housed the library, most of the manuscript contents of which had been acquired by Bishop Hinderbach<sup>5</sup>; to these Cles added more than a thousand printed works. The portraits of twenty-four eminent divines, philosophers, jurists, physicians and poets in the lunettes above the shelves bore witness to the breadth of mind of the founder of the library. It is not possible to ascertain whether the transfer of this collection, which we know to have taken place under his successor, and its eventual dispersal, were solely due to neglect or to the fact that the library was used by the members of the Council who, naturally enough, found it extremely convenient to have at hand the many controversial writings that filled its shelves.

Long before he undertook the construction of the palace the cardinal had awakened and encouraged a taste for building among the patricians

<sup>1</sup> S. Weber, "Le residenze dei vescovi di Trento", in *Studi trentini*, v (1924), also as a separate reprint.

<sup>2</sup> The earliest description by Andrea Mattioli, *Il Magno Palazzo del Cardinal di Trento* (Venice 1539). For the story of the building, C. Ausserer-G. Gerola, *I documenti Clesiani del Buonconsiglio* (Venice 1925), with list of earlier writings (Woelzl, Schmölzer, etc.).

<sup>3</sup> In 1542 Sanfelice thought the castle was so strong and so well equipped with defensive armour that a small garrison would be able to hold it for many days, even for months, *C.T.*, VOL. IV, p. 253.

<sup>4</sup> Pincius describes the preparations for the feast, *De vitis pont. Trid.*, fols. 99<sup>v</sup>-100<sup>v</sup>.

<sup>5</sup> G. Tarugi Secchi, *La biblioteca vescovile di Trento* (Trent 1930), pp. 18 ff., 55 ff. It must have included the codex mentioned in *C.T.*, VOL. II, p. 742.

of Trent.<sup>1</sup> The Palazzo Girolodi-Prato, of which only a few remains survived a destructive fire in the year 1845 and whose site is now occupied by the Post Office, was already of ancient date. During the first two periods of the Council it housed the legates, and the main hall was used for the general congregations. Various aristocratic dwellings, fortresslike and flanked by towers, were made more habitable by the opening of new windows and the construction of balconies in keeping with the taste of the period, as, for instance, the house of Archdeacon Martin von Neydeck, known to-day as Torre Massarelli, after its occupant during the Council,<sup>2</sup> and the house now known as No. 15 Via Santa Trinità. But the most characteristic products of the new building era were the charming palaces in the Venetian style which, with their pretty balconies and their splendid frescoes on the side facing the street, constitute to this day the chief ornament of the city. In these palaces, with their moderately sized though commodious rooms, cardinals and other eminent personages were accommodated during the Council; thus, for instance the Palazzo Salvadori in the Contrada larga, erected by Cles as early as 1515, was occupied by Cardinal Seripando. A few paces further on stood the Palazzo Geremia, where Cardinal Simonetta lodged; Palazzo Pedrozzi in the Contrada longa; Palazzo Monte (now Rohr), situated near the city's busiest cross-roads in the direction of the castle. In 1551 Vargas, the imperial envoy, stayed in the Casa Cazzuffi in the street now called Oss Mazzorana. Emulating the cardinal, Antony, dean of the cathedral, and Canon Donato Tabarelli erected their family palace in the same street. The façades of these edifices, built of huge blocks of freestone, are inspired by Bolognese models. Canon Roccabruna erected in the Via S. Trinità the palace which eventually came into the possession of the Sardagna family. Count Luna, Philip II's envoy, lodged and died within its walls. Queta, the cardinal's secretary, built for himself a house, probably in the Contrada larga, which was occupied for a time by Cardinal Del Monte. The most spacious were the two connected houses of the influential family of Thun, now the municipio. This was the residence of Gonzaga and later on of Morone during the last period of the Council.

At the time of Cardinal Cles's unexpected death in 1539, at the early age of 54 and only a short time after he had taken over the

<sup>1</sup> S. Weber, "Le abitazioni dei Padri a Trento durante il Concilio", in *Il Concilio di Trento*, I (1942), pp. 57-64; II (1943), pp. 139-46. For what follows I must observe that all the lodgings mentioned in contemporary sources are far from having been identified with absolute certainty on a cadastral basis.

<sup>2</sup> *C.T.*, VOL. I, p. 182.

neighbouring diocese of Brixen, the city of Trent had assumed a new aspect. His successor, Cristoforo Madruzzo, reaped the fruits of his labours. Whereas Cles was on the whole a self-made man, Madruzzo owed his easy and rapid rise to the influence of his father, Giovanni Gaudenzio, president of the episcopal council.<sup>1</sup> His father's second son by his wife Euphemia von Sporenberg, he was born on 5 July 1512 at Castel Nano. While still in his early youth he was given a canonry at Trent together with the parishes of Meran and Lienz. At a later date he became dean of the cathedral chapter of Trent and a canon of Augsburg, Salzburg and Brixen. While pursuing his studies at Bologna (1532-7) he made a friend for life in the person of the future Cardinal Otto Truchsess of Augsburg. He also made many other contacts which greatly affected his future career, including the Pope's nephew Alessandro Farnese and Ugo Buoncompagni, who taught him law. Finally, at the early age of twenty-six Madruzzo was raised to the see of Trent.

Handsome, tall, of elegant appearance, the young man charmed the Nuremberg jurist Christopher Scheurl, with whom he lodged in 1540 while on his way to the imperial court in Flanders, no less than the ladies of that imperial city. His pale, only very slightly coloured countenance and his small eyes created an impression of mysteriousness. His modest demeanour was not due to embarrassment; it actually went with a ready wit. Scheurl was immensely gratified by the opportunity of parading his knowledge of Italian before such a man and the large suite that accompanied him.<sup>2</sup>

The young man thus described by Scheurl also meets us in the portrait, now in New York, dating from the year 1542 and ascribed to Titian.<sup>3</sup> At that time he was about to exchange the neat, black dress

<sup>1</sup> Madruzzo, too, has not found a modern biographer. There is valuable material in B. Bonelli, *Notizie storico-critiche della Chiesa di Trento*, VOL. III, pp. 399-448; VOL. IV, pp. 195-211. For the period up to 1515, see C. de Giuliani, "Cristoforo Madruzzo", in *Archivio trentino*, xx (1905), pp. 52-88. Codices 2914-2917 of the Giuliani Collection now preserved in the Biblioteca Comunale of Trent, with notes on books, pictures and drawings, might be useful for a full-length biography such as that planned by Giuliani. For the correspondence, formerly kept at Innsbruck and now in the State Archives of Trent, see A. Galante, *La corrispondenza del Card. Madruzzo nell' Archivio di Innsbruck* (Innsbruck 1911), and *Miscellanea Attilio Hortis*, VOL. II (Trieste 1910), pp. 787-805. Out of the rich printed and MS material at my disposal I have only selected such information as appears important for the portrayal of Madruzzo's personality.

<sup>2</sup> Scheurl to Johann Eck, 13 February 1540, *Briefbuch*, VOL. II, p. 236.

<sup>3</sup> When one compares the New York portrait (frequently reproduced, e.g. by Fogolari, *Trento*, p. 137) with the medal struck in 1546 (*ibid.*, p. 139), one asks oneself how it was possible that four years should have worked so marked a change in a man. The fleshy face, framed by a beard, is that of a man of fifty rather than that of one of thirty.

that became him so well for the purple of a cardinal. At the consistory of 2 June 1542 he was created a cardinal in *petto*. He was informed of his nomination but was made to give a written assurance that he would not style himself a cardinal until the publication,<sup>1</sup> which only took place on 7 January 1545, shortly after his friend Truchsess, who in the meantime had become Bishop of Augsburg, had also received the red hat. Since 11 December 1542 Madruzzo was likewise Bishop of Brixen. Honours rained upon this spoilt child of fortune. But, we may well ask, was the youthful cardinal-bishop and territorial prince equal to the historic mission that devolved on him?

Fate seemed indeed to have destined him for the role of an intermediary between the two highest authorities, the Papacy and the Empire. Born on the dividing line of two cultures and as a bishop and territorial lord placed over Italians and Germans, he had something in common with both races. German was his mother tongue. "As a child", he declared at the Council, "I learnt the Lord's Prayer, the Creed and other pieces that are usually committed to memory, in our German tongue."<sup>2</sup> There can be no doubt that he learnt them from his mother Euphemia, for whom he cherished a filial veneration and whom he frequently visited. "Since I am a German", he once told Massarelli,<sup>3</sup> "I am able to treat with the German princes as one of them in their own tongue, not as a foreigner." Italian was the language of his choice. His studies at Padua and Bologna, the friendships there contracted, the almost exclusively Italian society that surrounded him at Trent, the superior culture of the Renaissance and its humanism combined to attach him to Italy. At a later period Ippolito Capilupi fostered the aging cardinal's secret aspirations to the tiara, though not without subtle irony, by reminding him that after all he was an Italian, not a German.<sup>4</sup>

By reason of his position as an imperial bishop and his family connexions his place was naturally in the imperial camp. His father, Gaudenzio, was governor of the sons of Ferdinand I, and his brothers Niccolò, the future *custos* of the Council, and Aliprando who died in

<sup>1</sup> Sfondrato's report of 10 December 1543, *N.B.*, VOL. I, PT vii, p. 491.

<sup>2</sup> *C.T.*, VOL. I, p. 37. For Euphemia, see the remark in *C.T.*, VOL. I, p. 497. In 1532 at Bologna, Madruzzo registered with the proctor of the German nation, Martin von Neydeck, the future Archdeacon of Trent. In 1534 Cristoforo acted himself as proctor, C. Malagola-E. Friedländer, *Acta nationis Germanicae universitatis Bononiensis* (Berlin 1887), pp. 303, 308; G. C. Knod, *Deutsche Studenten in Bologna* (Berlin 1899), No. 2225 (p. 325).

<sup>3</sup> *C.T.*, VOL. I, p. 251. On another occasion Massarelli speaks of the "favori todeschi" shown him by the cardinal, *C.T.*, VOL. I, p. 364.

<sup>4</sup> Capilupi to Ercole Gonzaga, 28 February 1560, *St. Arch.*, Mantua, Busta 1933 or.

1547 at the early age of twenty-five, were officers in the service of the Emperor. Truchsess was his best friend. He was likewise on excellent terms with the Dukes of Bavaria, the Bishop of Eichstätt and other imperial princes. His attendance at the imperial Diets helped to widen the circle of his friends. Even the Elector Maurice of Saxony had recourse to him and used him as an intermediary with Rome.<sup>1</sup> And he was a cardinal! He attached great importance to his being regarded as a friend of the house of Farnese,<sup>2</sup> and his Italian friendships were more numerous than his German ones.

It had been the dream of Madruzzo's youth to restore, in the capacity of papal legate in Germany, harmony between the two heads and, if possible, to pave the way for the return of those who had seceded from the Church. On no less than three occasions within the space of a few months he proposed himself to Massarelli for the post of legate.<sup>3</sup> He failed to measure the width of the breach and was unaware of his own limitations. Paul III was too sound a judge of men to employ him on missions of high politics; he even denied him the coveted dignity of legate at the Council. Charles V did not entrust the leadership of his party to him, but rather to the astute Pacheco, and when he did send him to Rome as a mediator in the desperate situation which arose towards the close of 1547, the issue of the mission only confirmed the Emperor's earlier opinion of the man.

Like Cles, Madruzzo was actuated by a burning ambition, but an ambition as devoid of greatness as it was free of any sinister feature—in fact, he displayed this weakness in so uninhibited and naive a fashion as to make it look almost like childish vanity at which one could afford to smile. He completely lacked the statesmanship, the cool shrewdness and the resourceful astuteness by which his predecessor had risen to greatness and his political naivety was at times astonishing.<sup>4</sup> As a matter of fact, he aimed neither at power nor at actual achievement;

<sup>1</sup> A. von Druffel, *Beiträge zur Reichsgeschichte 1546-1551* (Munich 1873), VOL. I, Nos. 116, 348; letters of Madruzzo to Christoph von Carlowitz, *ibid.*, Nos. 431, 527; for Gaudenzio, *N.B.*, VOL. I, PT iii, p. 208.

<sup>2</sup> In 1540 Tommaso Campeggio describes him to Cardinal Farnese as a "gran servitore suo", *N.B.*, VOL. I, PT vi, p. 16; at a later date when Madruzzo made no secret of his criticism of Paul III's nepotism (e.g. *C.T.*, VOL. I, p. 313, and still later, when he condemned the nomination of the astrologer Gauricus to a bishopric, *ibid.*, p. 362), and when on the other hand the Pope became increasingly estranged from the Emperor, some very unfavourable remarks were passed on Madruzzo at Rome, *C.T.*, VOL. x, p. 903 f.

<sup>3</sup> *C.T.*, VOL. I, pp. 251, 308, 363.

<sup>4</sup> How was it possible for Madruzzo to imagine that Paul III would ever transfer the Council to central Germany? *C.T.*, VOL. I, pp. 271 f., 288, 297, 372. What would have happened if the legates had acted on his advice to keep the French bishops at Trent by force?

what he desired was honours, titles, revenues. It was his ambition either to become Elector of Mainz or Trier, or to obtain the wealthy archdiocese of Salzburg.<sup>1</sup> He was immensely gratified when in July 1548 he was invited to officiate at the magnificent wedding at Genoa of Maximilian II and empowered to exercise authority in the duchy of Milan as Philip II's governor,<sup>2</sup> but neither the viceroyalty of Naples nor the dignity of protector of the German and Spanish nations came his way. When he finally settled in Rome in 1560, the magnificence of his establishment—it was said that his monthly expenditure amounted to 2000 scudi—roused the envy of Truchsess, a prelate for ever in debt, and the displeasure of Pope Pius IV.<sup>3</sup> The latter made him legate of the Marches, but any real influence on the policy of the Curia he gained neither under that Pope nor under his successors. In spite of all his striving he proved unequal to the role of a political-ecclesiastical mediator for which he seemed predestined. He was neither a Morone nor a Contarini. Of the sincerity of his personal piety there can be no question. Nor can there be any doubt that he was pained by the lack of understanding of the German character and of the religious background of the German reformation shown by many Italian prelates and that he sought contact and friendship with the more enlightened among them. Cardinals Gonzaga, Sadoletto, Morone and Pole were friends of his: Nacchianti was his guest. The latter—as well as Carnesecchi—found in him an advocate when they stood their trial before the Inquisition.<sup>4</sup> He lacked a theological training of any depth

<sup>1</sup> C.T., vol. I, pp. 301, 303; on his aspirations to Salzburg, see G. Wolf in *Beiträge zur bayrischen Kirchengeschichte*, VI (1900), pp. 194 ff.

<sup>2</sup> This is not to deny that Madruzzo enjoyed the personal confidence of Ferdinand I and Philip II. In the conclaves of the fifteen-fifties he was charged with the interests of the Habsburgs; cf. Ferdinand's letters to Madruzzo in *Studien und Mitteilungen aus dem Benediktiner und Cisterzienser Orden*, V (1884), I, pp. 199 ff., 473 ff.; II, pp. 457 ff.; Druffel, *Beiträge*, vol. IV, No. 679, quotes a declaration of confidence by Philip II. It was due to this Habsburg orientation that the Venetians regarded him and his brother Niccolò, as well as the other "semi-Italians"—Arco, Lodron and others—as enemies of the Republic, Albèri, *Relazioni*, vol. I, I, p. 464.

<sup>3</sup> A. Steichele in *Archiv für Geschichte des Bistums Augsburg*, II (1859), pp. 150, 155, 157, gives all the letters of Cardinal Truchsess to Duke Albrecht of Bavaria. Pius IV took Madruzzo to task because "il modo del vivere suo haveva più del temporale che del spirituale" and for running into debt, Capilupi to the Camerlengo, 21 September 1562, St. Arch., Florence, Med. 3727, fol. 406<sup>v</sup> or.

<sup>4</sup> His close relations with Ercole Gonzaga are attested by numerous letters in the St Arch., Mantua. This was yet another reason why Madruzzo incurred the displeasure of the Farnesi; cf. two letters of Sadoletto in Bonelli, *Notizie storico-critiche, della Chiesa di Trento*, vol. III, pp. 441-4; *ibid.*, a letter from Pole, vol. IV, p. 198 f. For his relations with Nacchianti, see Buschbell, *Reformation und Inquisition in Italien*, pp. 156 ff. Letters of recommendation for Carnesecchi, dated 11 April 1558, in Z.K.G., V (1882), p. 612 f.

and was accordingly betrayed into more than one false step. The Augustinian Nicholas of Verona, who enjoyed his favour for a time, was a Lutheran at heart and Vergerio's apostasy got his patron into a most awkward situation.<sup>1</sup> By advocating the translation of the Bible into the vernacular and by his attitude in the debate on justification at the Council he came under suspicion of being the head of the German party, that is, the party that favoured Luther.<sup>2</sup>

The suspicion was unjustified. Madruzzo's Catholic sentiments were no more open to doubt than those of his predecessor. As a bishop he frequently held pontifical functions in person, a thing his colleagues in Germany did but seldom, and during the greater part of his reign he dispensed with the assistance of an auxiliary.<sup>3</sup> Isidoro Chiari regarded him as a supporter of those members of the Council who were in earnest about reform.<sup>4</sup> For all that he cannot be described as a "bishop of the Catholic reform". Salmeron succeeded in interesting him in the establishment of a Jesuit College either at Trent or at Brixen, but he lacked the necessary perseverance for the execution of the plan.<sup>5</sup> He stands on the watershed of two streams, on the frontier of the old and the new age between which we moderns seek to draw a dividing line but which in actual fact interpenetrate like light and darkness.

As a lover of letters and a patron of the *literati* Madruzzo harvested many a literary dedication<sup>6</sup> and many a eulogy.<sup>7</sup> He was a keen collector of antiquities<sup>8</sup>; he even thought of founding a university at

<sup>1</sup> Jedin, *Seripando*, VOL. I, p. 264 f.: Eng. edn., p. 221; *ibid.*, p. 268: Eng. edn., p. 225, for Andrea da Volterra. For Madruzzo's attitude in the proceedings against Vergerio, see Buschbell, *Reformation und Inquisition in Italien*, pp. 110 ff., 288.

<sup>2</sup> Grechetto to Santa Fiora, 31 August 1546; Buschbell, *Reformation und Inquisition in Italien*, p. 256 f.

<sup>3</sup> S. Weber, *I Vescovi suffraganei della Chiesa di Trento* (Trent 1932), pp. 103-15; the attempt to get the conventual Diruta appointed an auxiliary bishop proved unsuccessful, *C.T.*, VOL. I, pp. 213, 362 f., 543.

<sup>4</sup> Chiari to Madruzzo, 10 June 1546; Bonelli, *Notizie storico-critiche della Chiesa di Trento*, VOL. III, p. 408 f.

<sup>5</sup> J. A. de Polanco, *Chronicon Societatis Jesu*, VOL. II (Madrid 1894), p. 469; M.H.S.J., *Lainii Monumenta* (Madrid 1912-17), VOL. I, pp. 206 ff.; *ibid.*, VOL. VII, p. 109, Lainez's significant remark about Madruzzo, "se contenta de dar buenas palabras".

<sup>6</sup> List of dedications in Bonelli, *Notizie storico-critiche della Chiesa di Trento*, VOL. IV, p. 203 f.: Trent, Biblioteca Comunale, Cod. 2917. On the Augustinian Nicholas Scultellius, who enjoyed Madruzzo's favour, and his studies on Plato, cf. Jedin, *Seripando*, VOL. I, pp. 82 ff.: Eng. edn., p. 58 f.

<sup>7</sup> Collection of poems, among them one by Niccolò d'Arco, in Bonelli, *Notizie storico-critiche della Chiesa di Trento*, VOL. III, pp. 424-31. Leonardo Colombino's *Trionfo tridentino* composed for 3 May 1547, in A. Galante, *Il Concilio di Trento* (Trent 1908), pp. 49-62.

<sup>8</sup> *C.T.*, VOL. I, p. 289.

Trent.<sup>1</sup> However, these varied interests were not backed by solid and deep scholarship. They produced nothing permanent; music alone seems to have affected him deeply.<sup>2</sup> With their violins, lutes and harps an orchestra directed by Giovanni Contini of Brescia used to contribute to the gaiety and splendour of the entertainments which, as a lover of company, he gave in the magnificent rooms of his castle. He found healing in music when sickness or failure lay heavy on him. At the princely wedding-feast at Genoa his singers distinguished themselves above all others.

Cristoforo Madruzzo is no outstanding figure of history. The many pleasing characteristics which made him so popular with his contemporaries would not have secured for him a place in history had he not played the role of host to the Council of Trent. He seemed to have been made for that task; in fact, it was a good thing that during the Council the See of Trent was not occupied by so forceful a personality as Cardinal Cles, for in that case the imperial pressure which could not but be felt during the first two periods would have been increased to a dangerous degree.

Madruzzo welcomed the Council to his episcopal city without any kind of previous bargaining with the Pope, as was done at the earlier Councils.<sup>3</sup> Whatever he did to ensure the smooth running of the assembly and for the welfare of its members was done spontaneously and out of sheer good-will. The legates and the conciliar commissary Sanfelice, who more than anyone else might have had cause to complain, never tired of extolling his solicitude and his willingness to be of service.<sup>4</sup> He was happy in the role of a princely host and, we must grant him this much, his hospitality was on a truly magnificent scale.

When Sanfelice was entertained by him in 1542 for the first time he expressed his astonishment at the combination of German lavishness with Italian refinement and courtesy that met him.<sup>5</sup> The banquet

<sup>1</sup> G. B. Trener, "Notizie sul progetto del Cardinale Madruzzo di erigere in Trento un ginnasio et uno studio generale 1552-53", in *Tridentum*, III (1900)—also separate publication; S. Weber, "La cattedra di giurisprudenza a Trento", in *Studi trentini*, XXIII (1942), pp. 137-54.

<sup>2</sup> M. Levri, "La Cappella musicale del Madruzzo e i cantori del Concilio", in *Il Concilio di Trento*, II (1943), pp. 393-405.

<sup>3</sup> The 27 *Capitula et conventiones* which Martin V concluded in 1423 with the city of Siena, in view of the proposed Council, in John of Ragusa, *Mon. con. gen.*, VOL. I, pp. 14-20. For the Basle agreement, cf. Wackernagel, *Geschichte der Stadt Basel*, VOL. I, pp. 484 ff.

<sup>4</sup> E.g. *C.T.*, VOL. IV, p. 252; *ibid.*, VOL. X, p. 476.

<sup>5</sup> "Mi dette un desinare non meno ricco d'abbondanza tedesca che servito di politia italiana", *C.T.*, VOL. IV, p. 253.



which Madruzzo gave in honour of the legates on Easter Tuesday 1545 lasted three whole hours and no fewer than seventy-four dishes were served.<sup>1</sup> Princely personages who happened to pass through Trent, such as Cardinal Alessandro Farnese and the youthful Emmanuel Philibert of Savoy, were splendidly entertained even in his absence. Massarelli never ceased wondering at the sumptuous luncheons to which he and his colleagues were treated by the Cardinal's secretaries and his steward.<sup>2</sup> Hardly a week went by without his sending some present to the house of the legates. One day it would be a huge sixty-pound sturgeon, another day some magnificent melons and artichokes, partridges and quails. On one occasion he treated Cervini to a hundred-year-old Valtellina wine.<sup>3</sup> There were times when the stern legate felt compelled to apply the brake lest it should be said in Rome that the legates' only occupation at Trent was to attend banquets.<sup>4</sup> When on the occasion of the celebration of a wedding at the bishop's residence Madruzzo went so far as to induce the bishops present to join in the bridal quadrille, according to local custom, the legate was grievously shocked.<sup>5</sup>

That promoter of Catholic reform could not reconcile himself to the fact that Castel Buonconsiglio was not only a bishop's residence but likewise a prince's palace, while Madruzzo delighted in stressing his princely rank and in displaying it in his outward appearance. He usually wore the red velvet dress of a prince, and only the scarlet biretta betrayed the fact that he was a cardinal of the Roman Church.<sup>6</sup>

Notwithstanding his declaration that for the duration of the Council he did not regard himself as the ruler of the city, but that the legates were its masters, in spite also of his instructions to his officials that they were to obey their commands as if they were his own,<sup>7</sup> he was ever mindful of his responsibility. Thus he solved single-handed and at his own expense the problem of the conciliar guard which had

<sup>1</sup> *C.T.*, VOL. I, p. 170 f.; cf. *ibid.*, pp. 179, 202, 316. In view of this extravagance Giovio called him "gran Lucullo", *C.T.*, VOL. X, p. 216, l. 40.

<sup>2</sup> *C.T.*, VOL. I, pp. 206, 224, 228 and *passim*.

<sup>3</sup> *C.T.*, VOL. I, pp. 175, 210, 290, 328. He even paid for the mourning apparel made for the Farnesi at Trent, *C.T.*, VOL. X, p. 125.

<sup>4</sup> *C.T.*, VOL. I, p. 316; cf. p. 210.

<sup>5</sup> *C.T.*, VOL. I, p. 507; Vergerio's letter of 5 March 1546 to Gonzaga gives further details, St. Arch., Mantua, Busta 1915 or.

<sup>6</sup> *C.T.*, VOL. I, pp. 159, 168. The incident with Cardinal Del Monte, when Madruzzo strongly asserted his princely rank, will be recounted in Vol. II.

<sup>7</sup> *C.T.*, VOL. I, p. 271; *ibid.*, VOL. X, p. 145. Thus it came about that, e.g. Madruzzo's vicar received direct orders from the legates, *ibid.*, VOL. I, p. 351.

wrecked the Mantuan convocation.<sup>1</sup> In addition to all this he did everything in his power to make the prelates' stay at Trent as pleasant as possible. Not only the episcopal castle, but the Palazzo delle Albere which he had erected on the banks of the Adige, south of the city, with its magnificent gardens, as well as his villa at the entrance of the defile of Fersina were at all times open to them. He had good reason therefore to resent the complaints of the everlasting grumblers who had not a good word to say for the city of Trent and its inhabitants: "They should be made to feel how they would fare at Augsburg, Nuremberg or Ratisbon!" he once observed to Massarelli.<sup>2</sup> It must have been a matter for profound satisfaction to him when, after the translation of the Council to Bologna, the echo of a sigh reached him from that far bigger and wealthier city: "Ah! if only we were sitting by the flesh pots of Trent!"<sup>3</sup>

The grand scale on which Madruzzo practised hospitality brought him to the verge of ruin. While the Council enriched the citizens of Trent, it impoverished its bishop. His income was considerably reduced by the fact that he now missed the taxes levied at Trent, Klausen and Brixen on the wine formerly exported to Germany. Expenditure kept rising, not only because of the sums spent on hospitality, but also on account of indispensable security measures.<sup>4</sup> As early as August 1546 he saw himself compelled to request Cardinal Gonzaga for the loan of 4000 scudi.<sup>5</sup> The legates, at his request, suggested to the Pope that the pontiff should pay the cardinal a sum of 10,000 scudi by way of indemnity.<sup>6</sup> We do not know whether that sum was ever paid; it was only after Cardinal Del Monte had become Pope that he paid him 20,000 scudi, that is, double the sum Madruzzo had suggested. To this sum Cervini, as Pope Marcellus II, added a further 10,000 scudi, probably in view of the second session of the Council, which had taken place in the meantime, as well as by way of consoling

<sup>1</sup> As long as the Pope's personal appearance had to be reckoned with, the enlisting of a considerable force from the men of the district had to be kept in mind. If he did not come to Trent, Madruzzo thought at first that some 200 or 300 men would be required (*C.T.*, VOL. IV, p. 253), but subsequently he was satisfied with 150, *ibid.*, VOL. X, p. 32. It would seem that even this number was not reached, for the additional expenditure amounted to no more than 100 scudi a month (*ibid.*, p. 439); Niccolò Madruzzo, as guardian of the Council, was the commander of the force.

<sup>2</sup> *C.T.*, VOL. I, pp. 218, 271; *ibid.*, VOL. X, p. 145 f.

<sup>3</sup> J. P. Ferretti to Madruzzo, 5 April 1547, Bonelli, *Notizie storico-critiche della Chiesa di Trento*, VOL. III, p. 417.

<sup>4</sup> *C.T.*, VOL. X, pp. 145 f., 438.

<sup>5</sup> Madruzzo to Gonzaga, 24 August 1546, St. Arch., Mantua, Busta 1915 or.

<sup>6</sup> *C.T.*, VOL. X, p. 552 (6 July 1546); cf. pp. 32, 395 f., 421 f.

Madruzzo for the denial of the legation of the Romagna which the cardinal had vainly sought to obtain.<sup>1</sup>

During the last period of the Council Madruzzo handed over the duties of hospitality at Trent to his nephew Ludovico, who had also been raised to the purple by Pius IV on 26 February 1561. In 1567 he resigned the See of Trent in Ludovico's favour when he himself was promoted to the suburbicarian See of Porto. He died on his sixty-sixth birthday, 5 July 1578, while a guest of Cardinal d'Este at the latter's villa at Tivoli. By that date the Council of Trent had become a historical fact. Though it had failed to bring about the return of the dissidents it had strengthened Catholicism and the Papacy to a degree which Madruzzo could not have foreseen. More in keeping with his temperament was the new culture which was even then taking shape in that courtly baroque age. The Cardinal found his last resting-place at a spot of surpassing beauty. His tomb is in the little church of S. Onufrio on the Gianicolo, in the Madruzzo chapel erected by his nephew, and facing the grave of the courtly poet Torquato Tasso.

The hands of the clock which Madruzzo had put up on the wall of his old episcopal residence next to the cathedral were pointing to the first hour of the day—about 9.30 by our reckoning—as the members of the Council assembled in the church of the Most Holy Trinity for the opening procession.<sup>2</sup> The day was 13 December 1545. The cardinals put on their vestments—mitres of white damask and copes of red material embroidered with gold thread which had arrived from Venice on the previous evening. The bishops wore linen mitres and copes of plainer material. The cathedral chaplain Domenico intoned

<sup>1</sup> Pastor, VOL. VI, pp. 41, 349; Eng. edn., VOL. XIV, p. 46.

<sup>2</sup> The description of the opening session is based on the following documents: the notaries' instrument included in the acts of the Council, *C.T.*, VOL. IV, pp. 515-32; the description in *C.T.*, VOL. I, pp. 402 ff., omitted in Massarelli's *Diarium*, VOL. I, but transmitted independently. The latter account should be checked by that of Severoli, *C.T.*, VOL. I, p. 4 f., and Prée, *C.T.*, VOL. II, p. 368 f., who is inaccurate here and there, as when he says that besides the two Bulls Campeggio also read the Brief of Inauguration. The legates' reports of 13 and 14 December, *C.T.*, VOL. X, pp. 274-8, give only a summary account of the proceedings. There is a description of the ceremonies in a pamphlet entitled "Was für ordnung unnd Cerimonien des Bapst Legation Cardinele und Bischoffe zu Trient versamlet in der eroffnung des Concilii doselbst gebraucht und gehalten haben", 4°, 6 leaves, without place and date, with Paul III's arms on the title-page. There is a copy at Vienna, St. Arch., Religions-akten 13, with the rubric: "Famos libell Trientisch Concilium anno 1545 betreff"; cf. also J. Hortleder, *Handlungen und Ausschreiben von den Ursachen des deutschen Krieges*, VOL. I (Gotha 1645), pp. 606 ff. Strangely enough the pamphlet, which derives from an Italian source, puts the conclusion of the session at three o'clock in the afternoon.

the hymn *Veni Creator Spiritus*. The second strophe was taken up by all the clergy and the procession got under way. First came the secular and regular clergy of the city and the cathedral chapter; after them came the prelates of the Council and the envoys of King Ferdinand I, followed by the nobility and a great crowd of people from the city and the neighbourhood who had come to witness the great event.

In the cathedral the spacious chancel above the crypt of St Vigilius, at the entrance of which the high altar stood at that time, had been arranged as a council hall. It formed a square, the side facing the nave being boarded off by a wooden partition. At the east end stood an altar above which was suspended a magnificent Flemish tapestry representing the resurrection of Christ. On the right of the altar were the red velvet-covered seats reserved for the four cardinals and on the left the credence table with the requisites for Mass. On either side there were three rows of seats for the members of the Council. The benches on the left, that is the gospel side, were reserved for the prelates who took their places according to the date of their promotion. They included four archbishops representing four nations, viz. Aix, Palermo, Upsala and Armagh, and twenty-one bishops, all of them Italians, with the exception of two Spaniards, one Frenchman, one Englishman and one German. Last came the generals of the two branches of the Franciscan Order and those of the Hermits of St Augustine, the Carmelites and the Servites. Two prelates of the Curia had their places among these as they had no vote; they were the auditor of the Rota Pighino and the promoter of the Council Severoli.

When one bears in mind that, after counting out England, the Scandinavian countries and those German dioceses which had gone over to Lutheranism, the number of diocesan bishops considerably exceeded four hundred, and when one recalls the numbers present at the four General Councils of antiquity and at the medieval Councils,<sup>1</sup> the attendance was modest enough. For all that, if we remember the

<sup>1</sup> According to Hefele the number of those present at the Council of Nicea oscillates between 250 and 320 and for Chalcedon between 520 and 630. For the Council of Constantinople he puts the number at 186 (including the Macedonians) and at 200 for Ephesus. At the third Lateran Council, according to Tangl, *Die Teilnehmer an den allgemeinen Konzilien des Mittelalters* (Weimar 1922), pp. 212 ff., there were roughly 300 prelates, while there were 404 at the fourth. According to Müller (*Das Konzil von Vienne*, Münster 1938, p. 69) there were 114 bishops at Vienne. However, these figures cover the whole period of these Councils, not the first day. At the opening of the Council of Constance Ulrich von Richental, *Chronik des Constanzer Concils* (ed. M. R. Buck, Stuttgart 1843), counted 23 cardinals, about 37 bishops and archbishops, besides the abbots and other prelates. At the opening of the fifth Council of the Lateran 83 prelates were present according to Paris de Grassis,

pitiful results of the two previous convocations of Mantua and Vicenza, it was a genuine success.

The imperial envoy Mendoza was detained at Venice by illness.<sup>1</sup> The two envoys of King Ferdinand I, the royal captain of Trent Francesco di Castelalto and the jurist Antonio Queta were the only diplomatists present. They sat on a bench placed across the upper end of the bishops' benches. The seats on the right—the epistle side—were occupied by the theologians, forty-two in number, all of them members of the mendicant Orders with the exception of four Spanish secular priests. Next to the Italians, the Spaniards were the most strongly represented: there were thirteen of them. There still remained a good deal of room, so members of the Trent nobility—even some ladies—successfully pushed their way into the chancel.

A conciliar session is not only a legal or canonical act; on the contrary, like the coronation of a Pope or a canonisation it partakes of the nature of a liturgical function. The liturgical setting is not something purely external, it is of its very essence for when a Council discharges its proper function, which is to define the Church's faith and discipline, it performs acts that appertain to the worship of the divine majesty. The ceremonial of the Roman Church in use at the time<sup>2</sup>

the master of the ceremonies (Döllinger, *Beiträge*, VOL. III, p. 417); at the next session—reckoned as the first—there were present 100 persons entitled to vote, cf. Acts in Mansi, VOL. XXXII, pp. 676 ff.

<sup>1</sup> That Mendoza did not sham illness appears from Della Casa's report to the legates, 17 November, Montepulciano, Bibl. Ricci 4, fol. 11r: "Non ho potuto ben negoziar col Signor Don Diego, che S.S. è forte melancolico e sta ritirato per le sue quartane che le molestano assai."

<sup>2</sup> The *Ceremoniale Romanum* was observed at Trent, as has been pointed out by Ehses, C.T., VOL. IV, p. 516, n.2, and by M. del Alamo, "Trento y la Liturgia", *El Concilio de Trento* (Madrid 1945), p. 305. Marginal notes in the manuscript Ceremonial, Vat. lat. 12349, fols. 89r-94r, seem to me to point to the fact that this manuscript was the very Ceremonial used at Trent since the one printed in 1516 by Cristoforo Marcello, which had been put together by Agostino Patrizio, was not regarded as authoritative. One point of the Ceremonial was not observed—Del Monte gave his short address not immediately after the gospel but before putting the question "Placetne?" On the other hand the *Pontificale Romanum* (ed. Catalani (1738), VOL. III, pp. 96 ff.) places the address otherwise, viz. after the *Veni Creator*. The use of the Ceremonial had already been recommended by Jacobazzi, *De concilio libri V*, art. 2 (pp. 260-3), by Ugoni, *Synodia* (Venice 1532), fols. 89v-90r, and by Guidiccioni in his treatise on the Council written in 1536, Barb. lat. 1165, fols. 228r-229v. At the fifth Lateran Council there was at first some uncertainty as to whether the *Ceremoniale reformatum* or the *Libri antiqui*, that is, probably the *Pontificale Romanum*, should be drawn upon (cf. the master of the ceremonies' questionnaire, Vat. Arch., Concilio, 6, fols. 429r-430r, more especially questions 8 and 9; see also Raynald, *Annales*, a. 1512, No. 32). In the end it was decided to use the Ceremonial, though in the account in Mansi (VOL. XXXII, pp. 665 ff.) the *Veni Creator* was sung before the gospel *Designavit* was chanted.

contained a complete conciliar liturgy which had been observed at the fifth Council of the Lateran and, as far as we are able to ascertain, also at the reform Councils of the fifteenth century. The master of ceremonies, Pompeius de Spiritibus, was guided by the texts and rubrics laid down in that liturgy. The solemn function began with the Mass of the Holy Ghost, celebrated by the senior legate Del Monte, Cardinal-Bishop of Palestrina. At its conclusion he imparted to all present a plenary indulgence. This done, the Minorite Cornelio Musso, Bishop of Bitonto, entered the pulpit erected on the right of the entrance to the hall and delivered an oft-quoted and much discussed discourse the text of which was taken from the Introit of the Mass of that day: *Gaudete in Domino*.<sup>1</sup>

Starting with the joy at the opening of the Council which filled the hearts of all present, Musso expatiated on the blessings which the Catholic Church had derived from General Councils throughout the centuries. It was the task of the present Council to defend the faith and the sacraments, to restore charity among Christians, to eliminate from the body of the Church the poison of covetousness and ambition, and to ward off the "scourge of God", the Turks. It was meet and right that he should mention all those who had helped to bring about this gathering; first of all the Pope, then the Emperor, King Francis I, King Ferdinand, the King of Portugal. Nor did he forget to praise the three legates and the lord of the city, Madruzzo. He ended with a prayer for the synod. "Gathered as it is at the gate of the Empire, may it effect the reunion of Germany with the Roman Church. To the realisation of so high a purpose all must contribute—Latins and Greeks, Spaniards and Frenchmen, Germans and Italians, every one must give of his very best. May St Vigilius, the patron of the diocese of Trent, also watch over the Council until its successful conclusion, until it could be said of it: 'Great are the works of the Lord'." (Ps. cx, 2).

<sup>1</sup> For Musso's life (1511-74) and personality, see H. Jedin, "Der Franziskaner Cornelio Musso", in *R.Q.*, xli (1933), pp. 207-75. G. Cantini, "Cornelio Musso dei Frati Minori Conventuali, Predicatore, Scrittore, e Teologo al Concilio di Trento", in *Miscellanea Franciscana*, xli (1941), pp. 145-74, 424-63. Sarpi's unfair verdict on the sermon (*Istoria*, vol. II, ii, ed. Gambarin, vol. I, pp. 209 ff.) has been refuted by Pallavicino, vol. v, p. 18, but it should be noted that as against Massarelli's and Severoli's reports about the deep impression made by the discourse there is the profound silence of Seripando, *C.T.*, vol. I, p. 4, l. 40; p. 440, l. 8; vol. II, p. 409. For a comprehensive judgment on Musso as an orator, see the literature compiled by myself (p. 253 f.) and by Cantini (pp. 170 ff.) as well as the observations of Ottaviano Lotti on his sermons in the year 1539, in *Bolletino Senese*, xv (1908), p. 46.

Cornelio Musso was one of the most popular pulpit orators of Italy. In his conciliar sermon he forgot no one and left out no topic worth mentioning. His familiarity with the text of Holy Scripture and his dexterity in the use of words fills us with astonishment. The modern reader of the sermon may get the impression that here there is too much of a good thing; that more than one parallel is rather forced. Such a reader should bear in mind that like every other sermon this one too was intended for a particular audience and that Musso's hearers were children of a humanistic age for whom the tricks of rhetoric were in their very blood. As a matter of fact the listeners were profoundly stirred by the spirited delivery of the sermon and many were actually moved to tears.

The Mass of the Holy Ghost and the sermon were only the preliminaries of the formal opening of the Council. The master of ceremonies first invited the assembly to pray in silence. After this Del Monte recited the collect of the Holy Ghost *Adsumus, Domine, Sancte Spiritus*—that prayer so full of doctrine and so profoundly moving.<sup>1</sup> After the choir had sung the antiphon *Exaudi nos, Domine* (Ps. LXVIII, 17), no doubt to a polyphonic setting, Del Monte recited yet another shorter prayer to invoke the assistance of the Holy Spirit. There followed the Litany of the Saints in which, after the invocation for the Pope, a thrice-repeated invocation for the Council was interpolated: *Ut hanc sanctam synodum et omnes gradus ecclesiasticos benedicere et regere digneris*. At each invocation the presiding legate made the sign of the cross over the assembly.

The chanting of the passage of the Gospel which recounts the mission of the disciples (Luke x, 1-9), and of the hymn *Veni Creator Spiritus* with its versicles and prayers finally led up to the act by which the Council was formally inaugurated. The Bishop of Feltre, in cope and mitre, entered the pulpit to read the Bull *Laetare Jerusalem* con-voking the Council as well as the Bull accrediting the legates. This should have been followed by a formal statement by the president declaring the Council open. Instead of such a declaration there followed an incident which reminds us of the vitality, even then, of the

<sup>1</sup> The prayer "Adsumus" is missing in the *Pontificale* of Durandus, M. Andrieu, *Le Pontificale Romanum*, 4 Vols., Città del Vaticano 1938-41, VOL. III, pp. 596-602. It was not said at Vienne; Müller, *Das Konzil von Vienne*, pp. 673 ff. I am unable to state at what period it got into the *Pontificale Romanum* (ed. Catalani, VOL. III, p. 97) and into the Ceremonial. Jacobazzi bears witness to its use in the Segnatura and the Rota, *De concilio*, p. 262. L. Gomez, *Comment. in regulas cancellariae iudiciales* (Paris 1547), fol. 155<sup>o</sup>, shows that in his time it was no longer in use in the Segnatura.

medieval conception of a Council as the representation of the *corpus christianum*. In that view the Pope and the Emperor were the heads of Christendom. After the reading of the Bull accrediting the legates the credentials of the imperial representatives should have been read. But Mendoza was absent. In his place the Spanish theologian Alphonsus Zorilla advanced towards the seats of the legates and after apologising for the absence of the imperial ambassador in his own words, read a letter of excuse and finally presented the credentials to the president. Only then did Del Monte rise to point out in a few moving words the significance of the moment and to ask the assent of the Fathers of the Council to the opening of the assembly in the terms of the traditional formula: *placetne vobis . . . decernere et declarare sacrum Tridentinum et generale concilium incipere et inceptum esse?* It was in this fashion too that it was decided that the next session would be held on 7 January 1546. The president then pronounced a blessing and the promoter of the Council Severoli charged the two notaries present, Claudius della Casa and Nicholas Driel, to draw up a legal instrument about the act of inauguration. The choir then intoned the *Te Deum*. Overcome with emotion, Madruzzo embraced the three legates and, with tears of joy in their eyes, the Fathers of the Council followed their example and embraced one another. It was two o'clock in the afternoon when the session came to an end.

"The door is now open," Seripando noted in his diary,<sup>1</sup> "the mouth is open that only utters unadulterated truth; the tribunal is set up which alone can examine and decide all controversies; it is for this purpose that the Council has been demanded and convoked." The General Council, longed for and prayed for, feared and delayed for more than a hundred years, had opened its doors. But before we begin to attend to what was said and done in this sacred drama it behoves us to cast a glance backward and to survey the road over which we have travelled.

The struggle for a Council had gone on for exactly twenty-five years. That it should have lasted so long was an "immense calamity"<sup>2</sup> for the Church. For a whole quarter of a century bishops and faithful in the countries affected by the religious schism had been waiting for a decisive pronouncement on an innovation which claimed to be the long-desired reform. "Only a general assembly of all the Christian estates,

<sup>1</sup> C.T., VOL. II, p. 409.

<sup>2</sup> Pastor, *Reunionsbestrebungen*, p. 121.



by favour of the Holy Spirit," the Bishop of Constance had told the men of Zürich in 1523,<sup>1</sup> "would be able to pronounce a definitive judgment on doctrinal differences of so fundamental a nature as those propounded by Zwingli." Twenty years later the sisters of Heiligengrab in the March of Brandenburg only accepted Lutheran preachers who were forced upon them with the reservation "until the convocation of a General Council".<sup>2</sup> With this reservation "until the General Council", numerous compromises had been agreed to which, though many did not realise it, replaced the Catholic way of life by another.<sup>3</sup> A confusion of ideas such as Catholics of today are scarcely able to imagine made it possible for a generation reared in the Catholic faith to die out and for another to grow up, fashioned by the teaching, the worship, and the propaganda of Protestantism. The opening of the Council came only just in time to preserve the Latin nations from a similar calamity; for the northern ones it was too late.

It is not within the competence of the historian to speculate on the course history would have taken if some particular event had not occurred or if it had happened at some other period. For all that, no one can prevent him from suggesting with due modesty which factors, humanly speaking, would have been eliminated in such an eventuality and which would have proved more effective. If the Council of Trent had met in 1525 instead of 1545 it would only have been faced with a heresy and a popular movement instigated by it. At the former date Lutheran churches were not yet organised, the princes and towns who had embraced the new faith did not as yet constitute a political power, the mass of the people were still moulded by Catholic teaching and piety. A conciliar condemnation of Luther's teaching would probably have been accepted by the great majority of the German people and a reform decreed by the Council might yet have prevailed over the Lutheran one. Harnack's query whether the Reformation would have developed as it did if the Tridentine decree on justification had been promulgated by the fifth Lateran Council is not entirely gratuitous; it is possible to doubt whether, in that event, we should have to witness the present religious division of the West.

<sup>1</sup> *Eidgenössische Abschiede*, vol. vi, 1 (a), p. 343 f. (17 October 1523), and the representations of the Bishops of Constance, Basle and Lausanne at the Diet of Lucerne, 1 April 1524, *ibid.*, p. 397.

<sup>2</sup> F. Curschmann in *Forschungen zur brandenburgisch-preussischen Geschichte*, xxv, ii (1912), p. 68.

<sup>3</sup> Letter of the preacher Hausmann to Bishop John of Meissen, 28 October 1538, O. Clemen, *Georg Helts Briefwechsel* (Leipzig 1907), p. 118 f.; O. Redlich, *Jülich-bergische Kirchenpolitik*, vol. 1, pp. 232 ff.

But events took a different turn. As a result of a calamitous concatenation of circumstances the Council became a mirage which invariably faded out before the eyes of those who had lost their way as often as they seemed to come up to it. In order to understand why the Council only materialised at so late a date it was necessary to go over the futile and unsuccessful efforts of a quarter of a century. Yet no one with a sense of history will presume to assert that what actually happened was bound to happen. The ideas which—as presented in these pages—determined the course of events, the various conceptions of the idea of a Council, the idea of reform as formulated by Catholic reformers and its Protestant counterfeit, the contradictory conceptions of justification and the nature of the Church—all these things were not necessitated by a natural law, they worked themselves out in and through free agents. Luther's appearance during the pontificate of Leo X, Clement VII's rejection of the proposed Council, the burial of the *corpus christianum* of the Middle Ages by Paul III and Charles V by a reversal of their respective roles, are contingent events. Contingency of events and freedom of the agents preclude every possibility of the latter evading responsibility before history. Our exposition did not presume to summon to judgment those who bear responsibility—either to condemn them or to absolve them. Our first step was to explain, to understand. This done, it was necessary to appraise, that is, to assess the conduct of men in the light of the historical mission allotted to them. For the appreciations thus arrived at we claim no absolute validity; no such claim can be made, for though based on a firm Catholic view of events all such estimates are none the less conditioned by the writer's personal conception of history. The stream of history flows on uninterruptedly. In another hundred years another historian of the Council of Trent will appraise many a personality and many an event otherwise than we do in our day. Lastly, the creative mind of God which so uses human error as to cause divine truth to shine forth more brightly, which obliterates, and compensates for, the failure of some by the holiness of others—this all-controlling mind which ordains all things to its own ends also constitutes the ultimate and true meaning of history while it remains a mystery which we may dimly sense but can only reverently adore.



Bibliography  
and  
Abbreviations



## Bibliography and Abbreviations

- Acta Comitiorum*=*Acta Comitiorum Augustae ex litteris Philippi, Jonae et aliorum ad Martinum Lutherum*, ed. Berbig, Halle 1907.
- Acta Conc. Const.*=*Acta Concilii Constantiensis*, edd. Finke, Heimpel and Hollnsteiner, 4 Vols., Münster 1896-1928.
- Acta Tomiciana*=*Epistole, legationes, responsa, actiones, res geste . . . Sigismundi, ejus nominis primi, regis Polonie . . .*, edd. Count A. T. Dzialynski and L. Koenigk, 9 Vols., Posen 1852-76.
- A.F.P.*=*Archivum fratrum Praedicatorum*, Berlin 1931 ff.
- A.K.R.*=*Archiv für katholisches Kirchenrecht*, 1857 ff.
- Albèri E., *Relazioni*=*Relazioni degli ambasciatori Veneti al Senato durante il secolo XVI*, Series I-III, Florence 1839-55.
- Ammanati, *see* Pius II.
- A.R.G.*=*Archiv für Reformationsgeschichte*, 1903 ff.
- Bachmann A., *Reichsgeschichte*=*Deutsche Reichsgeschichte im Zeitalter Friedrichs III und Maximilians I*, 2 Vols., Leipzig 1884-94.
- Balan P., *Monumenta*=*Monumenta reformationis Lutheranae ex tabulariis S. Sedis secretis*, Ratisbon, 1881-4.
- , *Mon. saec. XVI*=*Monumenta saeculi XVI historiam illustrantia*, Innsbruck 1885.
- Baluze S.-Mansi J. D., *Miscellanea novo ordine digesta*, 4 Vols., Lucca 1761-4.
- Bataillon M., *Erasme en Espagne*, Paris 1937.
- Böcking E. (ed.), *Ulrici Hutteni opera*, 5 Vols., Leipzig 1859-62.
- Bonelli B., *Notizie istorico-critiche della Chiesa di Trento*, VOLS. III and IV, Trent 1762, 1765.
- Brandi K., *Berichte*=*Berichte und Studien zur Geschichte Karls V: Nachrichten der Gesellschaft der Wissenschaften zu Göttingen, philosophische-historische Klasse*, Berlin 1930 ff.
- , *Kaiser Karl V*, VOL. I, Munich 1937; Eng. edn., *The Emperor Charles V*, London 1939.
- , *Quellen*=*Quellen und Erörterungen*, Munich 1941.
- Brieger Th., *Aleander und Luther*, Gotha 1884.
- Bucholtz F. W. von, *Ferdinand I*=*Geschichte der Regierung Ferdinands I*, 9 Vols., Vienna 1831-8.
- Bull. Rom.*=*Bullarium Romanum*, VOLS. IV and V, Turin 1859-60.
- Burchard of Strasbourg, *see* Celani and Thuasne.

# BIBLIOGRAPHY AND ABBREVIATIONS

- Buschbell G., *Reformation und Inquisition in Italien*, Paderborn 1910.
- Calenzio G., *Doc. ined.*=*Documenti inediti e nuovi lavori letterarii sul Concilio di Trento*, Rome 1874.
- Cal. of Letters*=*Calendar of Letters, foreign and domestic, relating to the reign of Henry VIII*, edd. J. S. Brewer, J. Gairdner etc., 21 Vols., London 1875 ff.
- Cal. of St. Pap., Spain*=*Calendar of Letters, Despatches and State Papers relating to the Negotiations between England and Spain*, ed. G. A. Bergenroth and (from VOL. V) P. G. Gayangos, VOLS. II-VIII, London 1862-1904.
- Canestrini L., *Legazioni di Averardo Serristori*, Florence 1853.
- Capasso C., *Paolo III*, 2 Vols., Messina 1924.
- Cardauns L., *Bestrebungen*=*Zur Geschichte der kirchlichen Unions- und Reformbestrebungen, 1538-42*: Bibliothek des preussischen historischen Instituts in Rom, VOL. IX, Rome 1910.
- , *Nizza*=*Von Nizza bis Crépy*: Bibliothek des preussischen historischen Instituts in Rom, VOL. XV, Rome 1923.
- , "Paul III"="Paul III und Franz I in den Jahren 1535-36", in *Quellen und Forschungen aus italienischen Archiven und Bibliotheken*, XI (1908), pp. 147-244; XII (1909), pp. 181-211, 321-67.
- Cardella L., *Memorie storiche de' Cardinali della S. Romana Chiesa*, VOL. IV, Rome 1793.
- Castro J. de, *Portugal*=*Portugal no Concilio de Trento*, Lisbon 1944.
- Celani L., *J. Burchardi Argent. Liber notarum*, 3 Vols., Città di Castello 1910 ff.
- Célier L., *Dataires*=*Les Dataires du XVIe siècle*, Paris 1910.
- Cerchiari E., *Sacra Romana Rota*, 4 Vols., Rome 1919-21.
- Ciaconius-Oldoinus, *Vitae et res gestae Pontificum Romanorum et S.R.E. cardinalium*, VOL. III, Rome 1677.
- Clemen O., *Flugschriften*=*Flugschriften aus den ersten Jahren der Reformation*, 4 Vols., Leipzig 1907-11.
- Coll. doc. inéd.*=*Collecion de documentos inéditos para la Historia de España*, Madrid 1842 ff.
- Combet J., *Louis XI*=*Louis XI et le Saint-Siège*, Paris 1903.
- Conc. Bas.*=*Concilium Basiliense*, edd. J. Haller, H. Herre and G. Beckmann, 8 Vols., Basle 1896-1936.
- Constant G., *La Réforme en Angleterre*, VOL. I, Paris 1930; Eng. edn., *The Reformation in England*, London 1934.
- Corpus Catholicorum. Werke katholischer Schriftsteller im Zeitalter der Glaubensspaltung*, Münster 1919 ff.
- Corp. Ref.*=*Corpus Reformatorum*, Halle 1834.
- Crabbe P., *Conc. omnia*=*Concilia omnia tam generalia quam particularia ab apostolorum temporibus in hunc usque diem a sanctissimis patribus celebrata*, Cologne 1538.
- C.T.*=*Concilium Tridentinum: Diariorum, actorum, epistolarum, tractatum nova collectio*, ed. Görres-Gesellschaft, Freiburg 1901 ff.

## BIBLIOGRAPHY AND ABBREVIATIONS

- Desjardins A., *Négociations diplomatiques de la France avec la Toscane*, 3 Vols., Paris 1859-75.
- Dittrich F., *Gasparo Contarini*, Braunsberg 1885.
- , *Regesten=Regesten und Briefe des Kardinals Gasparo Contarini*, Braunsberg 1881.
- Döllinger J. J. I., *Beiträge=Beiträge zur politischen, kirchlichen und Kulturgeschichte der sechs letzten Jahrhunderte*, 3 Vols., Munich 1862-82.
- Druffel A. von, *Beiträge=Beiträge zur Reichsgeschichte*, VOLS. I-III, Munich 1873-82.
- , *Karl V und die römische Kurie*, 4 parts, Munich 1877-91.
- D.Th.C.=Dictionnaire de théologie Catholique*, Paris 1909 ff.
- Dupin L. E. (ed.), *Gersoni opera*, 5 Vols., Antwerp 1706.
- Duplessis d'Argentré Ch., *Coll. iud.=Collectio iudiciorum de novis erroribus*, 3 Vols., Paris 1724 ff.
- Eckermann K., *Studien=Studien zur Geschichte des monarchischen Gedankens im 15. Jahrhundert*, Berlin-Grünwald 1933.
- Eidgenössische Abschiede*, Lucerne 1839 ff.
- Erasmus, *Epist.=Opus Epistolarum Desiderii Erasmi Roterodami*, ed. P. S. Allen, 11 Vols., Oxford 1906-47.
- Eubel K.-Gulik W. van, *Hierarchia catholica medii aevi*, VOL. III, Münster 1910; 2nd edn. ed. L. Schmitz-Kallenberg, 1923.
- Evagatorium=Fratris Felicis Evagatorium*, ed. C. D. Hassler, VOL. I, Stuttgart 1843.
- Feret P., *La Faculté de théologie de Paris et ses docteurs les plus célèbres. Epoque moderne*, 7 Vols., Paris 1900-10.
- Ferrandis M.-Bordonau M., *El Concilio de Trento*, VOL. I., Valladolid 1928.
- Förstemann C. E., *Neues Urkundenbuch zur Geschichte der evangelischen Kirchenreformation*, Hamburg 1842.
- Fredericq P., *Corpus Inquis.=Corpus Inquisitionis Neerlandicae*, Ghent 1927.
- Freher M.-Struve B. G., *Germ. rerum script.=Germanicarum rerum scriptores*, 3 parts, Strasbourg 1717.
- Gebhardt B., *Gravamina=Die Gravamina der deutschen Nation*, 2nd edn., Breslau 1895.
- Gerson, *see* Dupin.
- Gess F., *Akten und Briefe=Akten und Briefe zur Kirchenpolitik Herzog Georgs von Sachsen*, 2 Vols., Leipzig 1905-17.
- Giberti, *Opera*, ed. Ballerini, Verona 1733.
- Giovio, *Hist.=Historia sui temporis*, Venice 1553.
- Goldast M., *Monarchia=Monarchia Romani Imperii*, 3 Vols., Hanover-Frankfurt 1611-13.
- Göllner E., *Die päpstliche Pönitentiare*, 2 Vols. in 4 parts, Rome 1907-11.
- Grisar H., *Luther*, 3 Vols., 8th edn. Freiburg 1925: Eng. edn., 6 Vols., London 1913-17.



# BIBLIOGRAPHY AND ABBREVIATIONS

- Gusmann W., *Quellen und Forsch.*=*Quellen und Forschungen zur Geschichte des Augsburger Glaubensbekenntnisses*, 2 Vols., Leipzig 1911, Kassel 1930.
- Hain L.,=*Repertorium bibliographicum*, 4 Vols., Stuttgart-Paris 1826-38.
- Haller J., *Anfänge*=*Die Anfänge der Universität Tübingen*, Stuttgart 1927.
- , *Papsttum und Kirchenreform*, VOL. I, Berlin 1903.
- , *Piero da Monte*, Rome 1941.
- Hardt H. von, *Conc. Const.*=*Magnum oecumenicum Constantiense concilium*, 6 Vols., Frankfurt-Leipzig 1697-1700.
- Hefele C. J. von, *Conziliengeschichte* (VOLS. VIII and IX by J. Hergenröther), 9 Vols., 2nd edn. Freiburg 1873-90; Eng. edn., Edinburgh 1872-96, incomplete.
- Heine G., *Briefe*=*Briefe an Karl V, geschrieben von seinem Beichtvater Loaysa in den Jahren 1530-32*, Berlin 1848.
- H. J.*=*Historisches Jahrbuch der Görres-Gesellschaft*, 1880 ff.
- Hofmann K., *Die Konzilsfrage auf den deutschen Reichstagen von 1521 bis 1524*, Theological dissertation, Heidelberg 1932.
- Hofmann W. von, *Forschungen*=*Forschungen zur Geschichte der kurialen Behörden*, 2 Vols., Rome 1914.
- Horawitz A.-Hartfelder K., *Briefwechsel des Beatus Rhenanus*, Leipzig 1886.
- Hottinger J. H., *Historia ecclesiastica Novi Testamenti*, 9 Vols., Zurich 1651-7.
- Hübner B., *Constanzer Reformation*=*Die Constanzer Reformation und die Konkordate von 1418*, Leipzig 1867.
- Hurter F., *Nomenclator*=*Nomenclator litterarius theologiae catholicae*, 6 Vols., Innsbruck 1903-13.
- H. Z.*=*Historische Zeitschrift*, 1859 ff.
- Imbart de la Tour P., *Origines*=*Les Origines de la Réforme*, VOLS. I-III, Paris 1905-14; VOL. II, 2nd edn. Melun 1944.
- Janssen J., *Geschichte des deutschen Volkes seit dem Ausgang des Mittelalters*, VOLS. I-III, 19th and 20th edns. Freiburg 1913-17; Eng. edn., London 1896-1925.
- Jedin H., *Seripando*=*Girolamo Seripando*, 2 Vols., Würzburg 1937; Eng. edn., St Louis, U.S.A., and London 1947.
- , *Der Quellenapparat der Konzilsgeschichte Pallavicinos*, Rome 1940.
- Kalkoff P., *Aleander gegen Luther*, Leipzig-New York 1908.
- , *Forschungen zu Luthers römischen Prozess*, Rome 1905.
- Katterbach B., *Referendarii*=*Refendarii utriusque signaturae*, Vatican City 1931.
- Kaulek J., *Corresp. pol.*=*Correspondance politique de Castillon et de Marillac* Paris 1885.
- Labbe P.-Cossart G., *Sacrosancta Concilia*, 16 Vols., Paris 1671-2.
- Laemmer, H., *Mantissa*=*Meletematum Romanorum mantissa*, Ratisbon 1875.
- , *Mon. Vat.*=*Monumenta Vaticana historiam ecclesiasticam saeculi XVI illustrantia*, Freiburg 1861.

# BIBLIOGRAPHY AND ABBREVIATIONS

- Lanz K., *Correspondenz*=*Correspondenz des Kaisers Karl V*, 3 Vols., Leipzig 1844-6.
- , *Staatspapiere*=*Staatspapiere zur Geschichte Kaiser Karls V*, 3 Vols., Stuttgart 1845.
- Lauchert F., *Literarische Gegner*=*Die italienischen literarischen Gegner Luthers*, Freiburg 1912.
- Lenz M., *Briefwechsel*=*Briefwechsel Landgraf Philipps von Hessen mit Bucer*, 3 Vols., Leipzig 1880-91.
- Le Plat J.,=*Monumentorum ad historiam Concilii Tridentini potissimum illustrandam spectantium amplissima collectio*, 7 Vols., Louvain 1781-7.
- Lettere di principi*, 3 Vols., Venice 1570-7.
- Lortz J., *Die Reformation in Deutschland*, 2 Vols., 2nd edn. Freiburg 1941.
- L.Th.K.*=*Lexikon für Theologie und Kirche*, ed. M. Buchberger, 10 Vols., Freiburg 1930-8.
- Lünig J. Ch., *Deutsches Reichsarchiv*, 24 Vols., Leipzig 1710-22.
- L.W.*=*Martin Luthers Werke. Kritische Gesamtausgabe*, Weimar 1883 ff.
- Mansi J. D.=*Sacrorum conciliorum nova et amplissima collectio*, 31 Vols., Florence-Venice 1759-98.
- Martin V., *Gallicanisme*=*Les Origines du Gallicanisme*, 2 Vols., Paris 1939.
- Mercati A., *Raccolta*=*Raccolta di concordati in materia ecclesiastica tra la Santa Sede e le autorità civili*, Rome 1919.
- M.H.S.J.=*Monumenta historica Societatis Jesu*, Madrid 1894 ff.
- M.Ö.I.G.*=*Mitteilungen des Instituts für österreichische Geschichtsforschung*, 1880 ff.
- Mon. conc. gen.*=*Monumenta conciliorum generalium saeculi XV*, ed. Akademie der Wissenschaften, 2 Vols. in 3 parts, Vienna 1857-73.
- Morandi L., *Monumenti*=*Monumenti di varia letteratura tratti dai manoscritti di Mons. L. Beccadelli*, 2 Vols. in 3 parts, Bologna 1797-1804.
- Morsolin B., "Il Concilio de Vicenza," in *Atti del R. Istituto Veneto*, Ser. VI, VII, 1 (1888-9), pp. 539-87.
- Müller E. F. K., *Die Bekenntnisschriften der reformierten Kirche*, Leipzig 1903.
- Müller P. Ewald, *Das Konzil von Vienne 1311-12, seine Quellen und Geschichte*, Münster 1934.
- N.B.*=*Nuntiaturberichte aus Deutschland*, PT 1, 1534-59, ed. Preussisches historisches Institut in Rom, 12 Vols. Gotha 1892 ff.
- Panzer G. W., *Annales*=*Annales typographici*, 11 Vols., Nuremberg 1793-1803.
- Pastor L., *Geschichte der Päpste*, 16 Vols., Freiburg 1885-1933, VOLS. I, III, IV, in new edn. 1924-6; Eng. edn., London 1923 ff.
- , *Reunionsbestrebungen*=*Die kirchlichen Reunionsbestrebungen während der Regierung Karls V*, Freiburg 1879.
- , *Ungedr. Akten*=*Ungedruckte Akten zur Geschichte der Päpste*, VOL. I, Freiburg 1904.
- Paulus N., *Dominikaner*=*Die deutschen Dominikaner im Kampfe gegen Luther*, Freiburg 1903.

# BIBLIOGRAPHY AND ABBREVIATIONS

- Pez-Hueber, *Thesaurus anecd.*=*Thesaurus anecdotorum novissimus*, 6 Vols. Augsburg 1721-9.
- Pieper A., *Entstehungsgeschichte*=*Zur Entstehungsgeschichte der ständigen Nuntiaturen*, Freiburg 1894.
- Pius II (Aeneas Silvius Piccolomini), *Commentarii rerum memorabilium*, with the letters of Cardinal Ammanati, Frankfurt 1614.
- , Correspondence, *see* Wolkan.
- , *Opera*, Basle 1551.
- , *Opera inedita*, ed. J. Cugnoni, Rome 1883.
- Politische Correspondenz*=*Politische Correspondenz der Stadt Strassburg im Zeitalter der Reformation*, edd. H. Virck, O. Winckelmann and J. Bernays, VOLS. I-III, Strasbourg 1881-98.
- Posch A., *Concordantia catholica*=*Die Concordantia catholica des Nikolaus von Cues*, Paderborn 1930.
- Q.F.*=*Quellen und Forschungen aus italienischen Archiven und Bibliotheken*, ed. Preussisches historisches Institut, Rome 1898 ff.
- Quirini A. M., *Epistolae Reginaldi Poli S.R.E. cardinalis et aliorum ad ipsum*, 5 Vols., Brescia 1744-57.
- Ram F. X. de, "Documents"="Documents relatifs à la nonciature de Pierre van der Vorst," in *Bulletin de la Commission Royale de Belgique, Ser. III*, VOL. VI (1864).
- , "Nonciature"="Nonciature de Pierre van der Vorst, évêque d'Acqui, en Allemagne et dans les Pays-Bas," in *Nouveaux mémoires de l'Académie Royale de Bruxelles*, XII (1839).
- Rassow P., *Kaiseridee*=*Die Kaiseridee Karls V*, Berlin 1932.
- Raynaldus O., *Annales*=*Annales ecclesiastici*, Rome 1646 ff., quoted according to year and number.
- R.E.*=*Realencyklopädie für protestantische Theologie und Kirche*, 3rd edn., 24 Vols., Leipzig 1896 ff.
- Reusch H., *Der Index der verbotenen Bücher*, 2 Vols., Bonn 1883-5.
- R.H.*=*Revue Historique*, 1876 ff.
- R.H.E.*=*Revue d'histoire ecclésiastique*, 1900 ff
- Ribier G., *Lettres*=*Lettres et Memoires d'Estat des roys, princes, ambassadeurs et autres ministres sous les regnes de François I, Henri II et François II*, 2 Vols., Paris 1666.
- R.Q.*=*Römische Quartalschrift*, 1889 ff.
- R.Q.H.*=*Revue des questions historiques*, 1867 ff.
- R.S.T.*=*Reformationsgeschichtliche Studien und Texte*, edd. J. Greving and others, Münster 1905 ff.
- R.T.A.*=*Deutsche Reichstagsakten*, ed. Historische Kommission, Munich, 16 Vols., Munich-Gotha 1867 ff.; new series, VOLS. I-IV, VII, Gotha 1893 ff.
- Sadoletto J., *J. Sadoleti opera*, 4 Vols., Verona 1737-8.
- Sägmüller J. B., *Kardinäle*=*Die Tätigkeit und Stellung der Kardinäle bis Papst Bonifaz VIII*, Freiburg 1896.

# BIBLIOGRAPHY AND ABBREVIATIONS

- Sanudo M., *Diarii*=*I Diarii* 1496-1535, 58 Vols., Venice 1879-1903.
- Sarpi P., *Istoria*=*Istoria del Concilio tridentino*, ed. G. Gambarin, 3 Vols., Bari 1935.
- Schade O., *Satiren*=*Satiren und Pasquille der Reformationszeit*, 3 Vols., Hanover 1856-8.
- Scheurl Ch., *Briefbuch*, edd. F. von Soden and J. K. Knaake, 2 Vols., Potsdam 1867-72.
- Schirrmacher F. W., *Briefe und Akten*=*Briefe und Akten zur Geschichte des Religionsgesprächs zu Marburg 1529 und des Reichstags zu Augsburg 1530*, Gütersloh 1876.
- Schlecht J., *Zamometič*=*Andrea Zamometič und der Basler Konzilsversuch von 1482*, Paderborn 1903.
- Scholz R., *Publizistik*=*Die Publizistik zur Zeit Philipps des Schönen und Bonifaz' VIII*, Stuttgart 1906.
- Schottenloher K., *Bibliographie zur deutschen Geschichte im Zeitalter der Glaubensspaltung*, 6 Vols., Leipzig 1933-40, quoted "Schottenloher" with number.
- Schulte J. F. von, *Quellen*=*Die Geschichte der Quellen und der Literatur des kanonischen Rechts von Gratian bis auf die Gegenwart*, 3 Vols., Stuttgart 1875-80.
- Sehling E., *Kirchenanordnungen*=*Die evangelische Kirchenanordnungen des 16. Jahrhunderts*, 5 Vols., Leipzig 1902-13.
- Spahn M., *Johannes Cochlaeus*, Berlin 1898, with bibliography.
- St. Arch.=State Archives: in this volume use has been made of the State Archives of Basle, Florence, Mantua, Modena, Munich, Trent and Venice.
- Stoecklin A., *Der Basler Konzilsversuch des Andrea Zamometič*, Basle 1938.
- Tangl M., *Kanzleiordnungen*=*Die päpstlichen Kanzleiordnungen von 1200 bis 1500*, Innsbruck 1894.
- Theiner A., *Mon. Pol.*=*Vetera monumenta Poloniae et Lithuaniae*, VOL. II, Rome 1861.
- Thuasne L., *J. Burchardi diarium*, 3 Vols., Paris 1883-5.
- T.Q.*=*Theologische Quartalschrift*, Tübingen 1819 ff.
- Tract. ill. iuriscons.*=*Tractatus illustrium iurisconsultorum ex universo iure*, Venice 1584.
- Valois N., *Le Pape*=*Le Pape et le Concile*, 2 Vols., Paris 1909.
- , *Pragmatique Sanction*=*Histoire de la Pragmatique Sanction de Bourges sous Charles VII*, Paris 1906.
- Vat. Arch.=Vatican Secret Archives.
- Vat. Lib.=Vatican Library.
- Walch C. W. F., *Monumenta medii aevi*, 2 Vols., Göttingen 1757-63.
- Weiss Ch., *Papiers*=*Papiers d'Etat du Cardinal de Granvelle*, 9 Vols., Paris 1841-52.

#### BIBLIOGRAPHY AND ABBREVIATIONS

- Wirz C., *Akten=Briefe und Akten über die diplomatischen Beziehungen der römischen Kurie zur Schweiz*, Basle 1895.
- Wolkan R., *Der Briefwechsel des Eneas Silvius Piccolomini*: Fontes rerum Austriacarum, Series II, VOLS. LXI, LXII, LXVII, LXVIII, 4 Vols., Vienna 1909-18.
- Z.K.G.*=*Zeitschrift für Kirchengeschichte*, 1876 ff.
- Z.K.Th.*=*Zeitschrift für katholische Theologie*, 1877 ff.
- Z.Sav.R.G.K.A.*=*Zeitschrift der Savignystiftung für Rechtsgeschichte, kanonistische Abteilung* 1912 ff.

# Index



## Index

No entries are given for *Emperor, King of England, King of France, Pope etc.* when these persons are referred to by their general titles.

- Abbadino, secretary of Federigo, Duke of Mantua 326, 327n  
*Acceptatio* of Mainz 20  
 Accia, Bishop of 519n  
 Acciajuoli, nuncio 221n, 229  
 Accolti, Pietro, Cardinal 112n, 174, 220n, 274  
 Ackerle, George, parish priest of S. Maria Maddalena 562  
*Acta Academiae Lovaniensis* (Erasmus) 190  
*Acta Augustana* (Luther) 173  
 Adimari, Cardinal 119  
 Adolf of Essen *see* Essen, Adolf of  
 Adrian VI (Adrian of Utrecht) 37n, 97n, 192ff, 205-10, 213, 225, 231, 316n, 410, 414n, 417, 420, 422, 431f, 512  
*Adversus haereses* (Alfonso de Castro) 400  
*Advisamenta* (Cardinals Orsini, Adimari and Carillo) 119f  
*Advisamenta super reformatione papae et romanae curiae* (Capranica) 117n, 120f  
 Aegidius Romanus *see* Romanus, Aegidius  
 Agde, Bishop of 527, 541, 542n  
 Aggsbach, Vincent of, OCart 37, 43f, 46, 53, 117n, 120  
 Agnellis, de, protonotary 58n  
 Agnello, the Gonzagas' Roman agent 336  
 Agnesi, Cardinal 81n  
 Agnifilo, Cardinal 87  
*Agreement between ecclesiastical Princes* 48  
 Aguilar, Count, Imperial envoy in Rome 314, 340n, 345n, 353n, 372n, 449, 458, 469, 472n  
 Ailly, Pierre d', Cardinal 7, 78ff, 82f, 94, 182n  
 Aix, Archbishop of 527, 541f, 557n, 575  
 Alba, Bishop of 540n  
 Albergati, Niccolò, Cardinal 142  
 Alberti, family of Trent 559  
 — Alberto d', Canon 562  
 Albertus Magnus 188  
 Alberus, Erasmus, author of *Gesprächbüchlein* 1524, 361, 407n  
 Albrecht, Cardinal, Archbishop of Mainz, Elector; brother of Joachim I of Brandenburg 170, 179n, 180, 193, 257n, 262, 273, 282n, 286n, 297, 322, 356f, 380, 387f, 449n, 451f, 473, 476, 490, 529, 543  
 — his proctors 431  
 Albrecht VI, Duke of Austria 36  
 Albrecht, Duke of Bavaria 569n  
 Albrecht, Duke of Saxony 153  
 Albret, d', Cardinal 107n  
 Alcalá, assembly of theologians at (1479) 41  
 — University of 142, 162  
 Alciati, of Padua, publisher 560  
 Aleander, Jerome, Cardinal, nuncio 179, 181n, 187, 194, 195n, 197f, 199n, 200-05, 216n, 221n, 224, 227, 273n, 274n, 276f, 279n, 280, 288n, 311, 314, 328f, 334, 338, 339n, 341, 344f, 366, 367n, 371, 382n, 383n, 394, 396, 423, 424n, 425f, 429n, 430, 434n, 436, 438n, 439n, 443n, 446, 452, 464, 509n  
 Aleman, Louis d' 19  
 Alessandria, Bishop of *see* Guasco, Alessandro  
 Alexander III 77, 466  
 — VI 31, 40, 54, 58, 61, 69, 75, 88f, 91ff, 96, 125n, 126, 127n, 435  
 Alexandria, Latin Patriarch of *see* Riario, Cesare  
 Alfonso V of Aragon and I of Naples (in 1435) 20, 60n  
 — I, King of Naples *see* Alfonso V of Aragon  
 — II, King of Naples 58  
 — Cardinal, infante of Portugal 337  
 Almain, Jacques, theologian of Paris 34, 114  
 Álvarez de Toledo, Juan, OP, Cardinal of Burgos 419, 434n, 440, 468, 479, 494n  
 Alveld, Augustine, OFM 190f, 398  
 Amboise, Georges d', Cardinal, papal legate 88, 149f, 180  
 Ambrose, St 163  
 Ambrosi, Francesco, of Florence, merchant 550n  
 Amerbach, Johann, of Basle, printer 158  
 Ammanati, Francesco, Cardinal 47, 68n, 71n, 85, 86n, 87, 91n  
 Amsdorf, Nicholas 386n  
*Anacephalaeosis* 1528 (Wimpina) 397  
 Ancona *see* Triumphus, Augustinus



# INDEX

- Andelot, Jean d' 53of, 533, 535  
 Andreae, John, canonist 78  
 Andrelinus, Faustus 115n  
 Andrew, Abbot of Scheyern 490n  
 Angeli, John, OFM 33  
 Angelo, Messer, Mantuan divine 383  
 Angoulême, Duke of, 3rd son of Francis I 310  
 Angst, Wolfgang 160n  
 Anhalt, Prince of *see* George  
 Anne, of Hungary, wife of John Zapolya 293  
*Annotations to the New Testament* (Lorenzo Valla) 157  
*Antilutherus* (Clichtove) 399  
 Antonino, St, OP, Archbishop of Florence 30, 96, 142, 148  
*Apologia* (Melanchthon) 262, 274n, 404n  
 — (St Gregory Nazianzen) 163  
*Apologia sacri Pisani concilii* (Zaccaria Ferreri) 39, 106n, 109  
*Appeal to the nobility* (Luther) 181  
*Appellatio* (Zamometič) 104  
 Aquila, Bishop of *see* Sanzio, Bernardo  
 Aquinas, St Thomas 167, 188, 366, 378, 429n, 430  
 Aragon, Catherine of *see* Catherine  
 — House of 88  
 — King of *see* Alfonso V  
 Archinto, Filippo, Milanese jurist 406, 444  
 Arco, Counts of (Julio, Battista, Oliviero, Francesco, Orsola) 550n, 551, 569n  
 — Niccolò d' 570n  
 — Count Sigismund 469n  
 Ardinghello, Niccolò, Cardinal 448n, 459, 488n, 493n, 506  
 Arevalo, Sánchez de 23, 28, 41, 66n, 67n, 71, 86, 105, 118, 124f  
 Arezzo, Bishop of *see* Becchi, Gentile  
 — Lorenzo of 25, 26n  
 Armagh, Archbishop of *see* Wauchope, Robert  
 Armagnac, Georges d', Bishop of Rodez 504  
 Armbruster, Johann, Canon 476n, 529  
 Arne, Ludovico delle, condottiere 510n, 540  
 Arnobius 159  
 Arras, Bishop of *see* Granvella, Antoine  
 Arrivabene, Mantuan agent 72  
 Arze, Juan, Canon 368  
*Assertio omnium articulorum* (Luther) 181, 400  
 Astorga, Bishop of 513n, 527  
 Audet, Niccolò, General of the Carmelites 511n  
 Augsburg, Bishop of 495n, *see also* Stadion, Christoph von; Truchsess, Otto; Zollern, Frederick von  
 — Diet of (1530) 170, 189, 226n, 244, 250-63, 269, 273-8, 375, 403, 409  
 Augsburg, Examination (of Luther) at (1518) 171  
 — jurists of 178  
 Augustine, St 167f, 190, 364, 366ff, 378  
 — Rule of 130  
 Augustinians, General of *see* Canisio, Egidio, of Viterbo  
 Aurifaber, Johann 251n  
 Auxerre, Bishop of *see* Dinteville, François de  
 Baden, Chancellor of *see* Vehus Dr  
 — convention of 529  
 — disputation of (1526) 397, 402  
 Badia, Tommaso, OP, Cardinal, Master of the Sacred Palace 368, 377, 382, 419, 424, 426n, 429n, 430, 440, 456, 479, 506  
 Bagarotto, Mantuan agent 325n  
 Baius, Michael 37n  
 Bakócz, Thomas, Cardinal, Patriarch of Constantinople 59n  
 Balbi 115n  
 Baldassare (of Florence), Papal Chamberlain 333n  
 Balduino, Girolamo, commissioner to fix prices in Trent 553n  
 Baldwin, Archbishop of Bremen 150, 322, 452  
 — his representative 334n  
 Balue, Cardinal 56, 88  
 Bamberg, Prince-Bishop of 317, 362n, 476, 477n, *see also* Frederick; Redwitz, Weigand von  
 — his proctor to Council of Mantua *see* Stoss  
 Barbaro, Francesco 156n  
 Barbarossa, Chaireddin, pirate 300, 308, 484  
 Barbatia, Andrew, jurist, author of *Consilia sive responsa* 81, 86  
 Barbo, Marco, Cardinal, nephew of Paul II 69n, 73, 82n, 87  
 Barcelona, Peace of (1529) 232, 243  
 Barnes, Robert, agent of Henry VIII 305  
 Barozzi, Pietro, Bishop of Belluno and Padua 125, 148, 163  
 Basle, Bishop of 104n, 105, 363, 580n, *see also* Utenheim, Christoph von  
 — *Confession of* (1534) 405  
 — Council of 5, 17-21, 24, 27f, 32-6, 39, 42, 44, 46, 48-51, 60f, 64, 71, 74, 79, 101f, 104, 110, 117n, 119f, 124, 136f, 139, 150, 164, 185, 201, 274, 323, 330, 337, 350f, 355, 366, 412, 466, 483, 506, 513, 551  
 — decrees of 83, 133ff, 287  
 — interdict of 104  
 — schism of 43, 62f  
 — University of 38, 172  
 Battista, bookseller 561

# INDEX

- Baumgartner (Melanchthon's letter to) 251<sup>n</sup>  
 Bavaria, Diet of 294ff  
 — Dukes of 218, 246, 252, 262, 380, 387, 492, 550, 568, *see also* Albrecht; Louis; William  
 — Margrave of *see* Philip  
 Bayeux, Bishop of *see* Canossa, Ludovico di  
 Bazas, Bishop of *see* Rouserque  
 Beatis, Antonio de 556<sup>n</sup>, 563<sup>n</sup>  
 Beaton, Cardinal 314  
 Beccadelli, Ludovico, humanist, secretary to Council of Trent, former secretary of Contarini 511, 527, 534, 537ff  
 Becchi, Gentile, Bishop of Arezzo 60  
*Beelzebub to the Holy Papal Church* (pamphlet printed Wittenberg, 1537) 335  
 Beiharting, prelate of 490<sup>n</sup>  
 Belcastro, Bishop of *see* Giacomelli  
 Bellagias, Annibale, secretary to Cardinal Truchsess 517  
 Bellay, Guillaume du 300ff, 305, 308  
 — Jean du, Bishop of Paris 300, 303, 508  
 — Martin du 301<sup>n</sup>  
 Belluno and Padua, Bishop of *see* Barozzi, Pietro; Contarini, Gasparo  
 Bembo, Pietro, Cardinal 135<sup>n</sup>, 220, 268<sup>n</sup>, 382<sup>n</sup>  
 Bendidio, Niccolò, of Parma, agent of Ferrara 481<sup>n</sup>  
 Benedict, St, Rule of 130  
 Benedict XIII, antipope 17  
 Benetus, Cyprianus, OP, author of *De prima orbis sede, de concilio* etc. (1512) 114<sup>n</sup>, 115<sup>n</sup>  
 Ber, Ludwig, theologian of Freiburg 366<sup>n</sup>, 394<sup>n</sup>, 396<sup>n</sup>  
 Bergamo, Bishop of 548  
 Bernard, St, of Clairvaux 7, 126, 190  
 Bertano, Pietro, Bishop of Fano 512<sup>n</sup>, 522, 524, 527, 532, 537<sup>n</sup>, 538<sup>n</sup>, 540<sup>n</sup>, 554  
 Bertini, Antonio, Bishop of Foligno 142, 148  
 Bertinoro, Bishop of, OP 511, 557  
 Bessarion, Cardinal 49, 82<sup>n</sup>, 85, 88  
 Bettinis, Sforza de 56<sup>n</sup>  
 Beylberg *see* Leonhard, Abbot of  
 Bibbiena, Cardinal 106<sup>n</sup>, 112<sup>n</sup>, 174  
 Bibra, Konrad von, Bishop of Würzburg 317, 476  
 — his proctor 529  
 Bicocea, Victory of (1522) 231  
 Biel, Gabriel 37, 143  
 Billick, Eberhard, Provincial of the Carmelites 398  
 Bitonto, Bishop of *see* Musso, Cornelio  
 Bladus, Antonius, printer to the Apostolic Camera 97<sup>n</sup>, 333<sup>n</sup>, 337  
 Blauner, A. and Th., brothers of Constance 282<sup>n</sup>, 362<sup>n</sup>, 379<sup>n</sup>  
 Blommeveen, Peter, Prior of the Charterhouse of Cologne 144, 286  
 Blossius 514<sup>n</sup>  
 Bobadilla, Bishop of Salamanca 234, 554<sup>n</sup>  
 — Nicholas, S. J. 452, 528<sup>n</sup>  
 Bock, deputy of Strasbourg to Diet of Worms 202  
 Bodeker, Stephen, Bishop of Brandenburg 150  
 Bohemia, Podiebrad of *see* Podiebrad, George  
 Boil, Bernard, Spanish nuncio 58<sup>n</sup>, 74<sup>n</sup>  
 Boleyn, Anne 284, 304  
 Bologna, Vice-Legate of *see* Gambara, Uberto  
 Bomhauwer, Antony, OFM 194  
 Bonfio, secretary to Campeggio 251<sup>n</sup>, 258  
 Boniface VIII 7f, 15<sup>n</sup>, 77, 80, 83, 238  
 Bonner, Dr, agent of Henry VIII 284  
 Borghese, Galgano, Sienese jurist 95<sup>n</sup>  
 Borgia, Alfonso *see* Calixtus III  
 — Caesar 54, 89  
 — Francesco, Cardinal 107, 112  
 — Ludovico, Cardinal 438<sup>n</sup>  
 Borromeo, St Charles, Cardinal 163, 365, 489  
 Borso (d'Este), Duke of Ferrara 68, 86, 278<sup>n</sup>  
 Borzella (Barcella), Michele, corn-dealer of Torboli 550  
 Bosa (Sardinia) Bishop of, OP *see* Tagliada, Giuliano  
 Boticellus, Jerome, Professor of Pavia 39, 108<sup>n</sup>  
 Botticelli, Sandro, painting of Sixtine chapel 105  
 Bourbon, Charles de, Constable of France 231f  
 — François Louis de, Cardinal 331<sup>n</sup>  
 Bourges, Pragmatic Sanction of *see* Pragmatic Sanction  
 Bozzola, of Brescia, publisher 560  
 Bramante 137  
 Brandenburg, Bishop of 202, *see also* Bodeker, Stephen; Schulz  
 — Duke of *see* Henry  
 — Elector of *see* Joachim I; Joachim II  
 — Margrave of *see* Casimir; Frederick II; George; John  
 Brandenburg-Kulmbach, Duke of 250  
 Braun, Konrad, jurist, chancellor to Konrad von Thüngen, Bishop of Würzburg 297, 473  
 Bremen, Archbishop of *see* Baldwin  
 Brescia, Bishop of 39  
 Breslau, Bishop of *see* Salza, Jacob von  
 Briarde, Lambert de 281f  
 Briçonnet, Guillaume, Cardinal 88, 107, 112

# INDEX

- Brieger, Theodore 383, 386n  
 Britius, Jacob 333n  
 Brixen, Bishop of *see* Madruzzo, Cristoforo  
 Brück, Saxon Chancellor, jurist 197, 181n, 200, 258, 302, 318, 320n, 357, 362  
 Brunfels, Otto 396n  
 Bruno, St 144  
 Brunswick, Duke of *see* Henry  
 Bucer, Martin, of Strasbourg, author of *De Concilio* (1545), *Fühbereytung zum Concilio*, 175n, 182n, 188n, 189n, 282n, 302, 357n, 362, 379n, 380f, 385, 391n, 399n, 403n, 475, 527n, 528n  
 Bugenhagen, Johann 320n  
 Bulls, Papal:  
   *Ad dominici gregis curam* (1536) 312  
   *Ad prudentis patrisfamilias officium* (1545) 506  
   *Convocation, Bull of* (for Council of Mantua 1537) 311, 314, 325, 335  
   *Decet nos* (1540) 514  
   *Decet Romanum Pontificem* (Bull of Excommunication 1521) 177, 188n, 197, 327  
   *Deus novit* 26  
   *Dudum sacrum* (Bull of Revocation) 27  
   *Dum intra mentis areana* (1516) 136  
   *Etsi cunctis* (Bull of Suspense) 485f  
   *Execrabilis* 66, 67n, 68  
   *Excommunication, Bull of* (1538) 353  
   *Exsurge* (Bull of Condemnation 1520) 175, 177, 179f, 185, 187, 188n, 190, 192, 196ff, 205, 210, 215f, 252, 373, 388, 391, 400  
   *In apostolici culminis* 131  
   *In apostolicae sedis specula* 127  
   *Infructuosos palmites* (1460) 67  
   *Initio nostri huius pontificatus* (Bull of Convocation 1542) 455  
   *Laetare Jerusalem* (1545) 504f, 578  
   *Laetentur coeli* (Bull of Unity) 19, 24  
   *Licet de vitanda* (Alexander III) 77  
   *Licet iuxta doctrinam* 9  
   *Pastor aeternus* (Pius II) 123f, 132  
   *Pastoralis officii* (1513) 131  
   *Qui monitis* (1483) 66n, 67  
   *Quoniam regnantium* 125  
   *Regimini militantis ecclesiae* (1540) 439  
   *Regimini universalis ecclesiae* (1515) 136  
   *Retraction, Bull of* (1447) 63f  
   *Sacrosanctae romanae ecclesiae* (1511) 112  
   *Supernae dispositionis arbitrio* 122, 125n, 131  
   *Supermi dispositione consilii* (1542) 443f  
   *Suscepti regiminis* (1501) 67  
   *Unam Sanctam* 5  
   *Union, Florentine Bull of* 191  
 Bullinger 385n, 538n  
 Buoncompagni, Ugo (Gregory XIII) 566  
 Burgo, Andrea da, envoy to Ferdinand, King of the Romans 242  
 Burgos, Alfonso of (son of Pablo) 54, 154  
 — Bishop of, memorial of 133n, 134  
 — Cardinal of *see* Álvarez de Toledo, Juan  
 — committee at (1511) 133  
 — Pablo of 154  
 Burgundy, Duke of *see* Charles the Bold; Philip the Good  
 Busch, Johann 145, 152  
 Busseto, conference at 481, 484f, 505  
 Cadiz, Bishop of 99, *see also* Gundi-salvus, Villadiego  
 Caesarius, Johannes 159  
 Cagnola, agent 58n  
 Cajetan, Thomas de Vio, OP, Cardinal, General of the Dominicans 28n, 34, 98, 114, 136, 158, 170-5, 185, 190f, 194, 208f, 268, 274, 365, 399, 402, 419f, 421n  
 — of Thiene *see* Thiene, Gaetano da  
 Calandrini, Cardinal 87n  
 Calepino, Bonaventura, commissioner to fix prices in Trent 553n  
 Calixtus III, 48, 60n, 64f, 66n, 82-5, 86n, 122  
 Calvete, Dr, commissioner to fix prices in Trent 553n  
 Calvin, Jean 189n, 365, 379, 400, 402, 403n, 495n, 498n, 500  
 Calzoni, Gabriele 551n, 554n  
 Cambrai, Bishop of 507n, 514n  
 — "Ladies' Peace" of 232  
 — League of 106  
 Camerino, estate of 309  
 — heiress of 308  
 Camerlengo, Il *see* Ludovico, Cardinal  
 Camerutio, Ser Berardino 550n  
 Caminiec, Bishop of 373  
 Campeggio, Lorenzo, Cardinal 189, 194, 208, 209n, 213ff, 217, 224, 244, 251n, 252-5, 257f, 260, 264, 266, 271n, 273, 274n, 276, 277n, 278n, 280n, 311, 336ff, 345, 348n, 350, 393n, 396, 413n, 415n, 417n, 420, 424n, 434, 438n, 517  
 — Tommaso, Bishop of Feltre 209n, 214, 341, 376f, 378n, 394n, 420, 421n, 429n, 430, 436, 437n, 465ff, 473, 478n, 480, 482, 483n, 509, 511, 514n, 520, 527, 540n, 544n, 546n, 568n, 574n, 578  
 Campester, Lambertus, OP 399n  
 Canea, Bishop of *see* Donato, Filippo  
 Canisio, Egidio, of Viterbo, Cardinal, General of the Augustinians 128, 136, 169, 265, 274n, 419

# INDEX

- Canisius, St Peter, SJ 396  
 Cano, Melchior, OP 162, 400  
 Canossa, Ludovico di, Bishop of Bayeux 222  
 Cantelmo, envoy 342  
 Canterbury, anglican synod of 352n  
 — Archbishop of *see* Warham  
 Capaccio, Bishop of 513n  
 Capellari, Bernardino, nuncio at Imperial Court 216  
 Capello, Giustiniano, Venetian ambassador 88, 228  
 Capestrano, John of, OFM 142  
 Capilupi, Camillo 514n, 521n, 528n, 569n  
 — Ippolito 567  
*Capitula privata* 90  
 Capito, Wolfgang, adviser to Albrecht of Mainz 180, 205n, 396n  
 Capodiferro, Jerome, nuncio, Datary 314, 344, 390n, 454, 467, 506  
 Capponi, Florentine envoy 58n  
 Capranica, Domenico, Cardinal 19, 88, 117n, 120-3  
 — the Younger, Cardinal 84  
 Capua, Archbishop of *see* Schönberg, Nicholas von  
 — Pietro Antonio di, Archbishop of Otranto, 473, 483f  
 — Raymond of, OP, 140  
 Caracciolo, Marino, Cardinal 310, 312  
 Carafa, Francesco, Archbishop of Naples 439  
 — Gianpietro, Cardinal, Bishop of Chieti 148n, 209, 336, 365, 382n, 418f, 421ff, 425, 429, 430ff, 434, 435n, 437, 440, 446, 506, *see also* Paul IV  
 — Oliviero, Cardinal 36, 87, 89, 126  
 Carillo, Alonso de, Cardinal, Bishop of Toledo 119, 154  
 Carlos, Don, heir to Spanish throne 533  
 Carlowitz, Christoph von, chancellor, councillor of George of Saxony 357, 362, 364, 568n  
 Carnesecchi, Pietro, adviser of Clement VII 283n, 285n, 569  
 Carpi, Alberto Pio, Count of 161, 222, 300n, 397  
 — Rodolfo Pio of, Cardinal, papal nuncio to France, nephew of Alberto Pio 290n, 292, 300f, 302n, 303f, 305n, 308n, 310, 324f, 328n, 330, 340, 352, 353n  
 Carranza, Bartolomeo, Archbishop of Toledo 527  
 Carretto, envoy 55n, 107n  
 Carsetta, papal ambassador to Basle 104n  
 Carvajal the Elder, Cardinal, papal legate 36, 85, 88  
 — the Younger, Cardinal 107, 112f, 175n, 207  
 Casa, Claudius della, notary 579  
 Casa, Giovanni della, papal nuncio at Venice 504n, 508n, 509n, 510n, 511n, 512n, 519n, 533n, 538n, 539, 542n, 543, 549n, 576n  
 Casanova, Giovanni, OP, Cardinal 26n  
 Casimir, Margrave of Brandenburg 245f  
 Castelalto, Francesco di, royal captain at Trent 469n, 478n, 482, 512, 576  
 Castellamare, Bishop of 513n  
 Castiglione, Baldassare, nuncio 221n, 235f, 239  
 Castile, Joanna of *see* Joanna  
 Castillon, French ambassador 343n  
 Castro, Alfonso de, OFM 400, 560  
*Catechism* 1543 (Nausea) 406  
 Catharinus, Ambrosius, of Siena, OP 192, 399  
 Catherine of Aragon 301, 303f, 306  
 Catherine of Genoa, St 146  
 Catherine of Siena, St 102  
 Cattanei, G. Lucido, Mantuan agent in Rome 88n  
 Cavini, Antonio, Cardinal 119  
 Cazuffo, Tommaso, commissioner to fix prices in Trent 553n  
 Cefalù, Bishop of *see* Gatto  
 Celestine V 309n  
 Cenau, Robert 399n  
 Ceresole, Battle of (1544) 494  
 Cervini, Marcello, Cardinal, Bishop of Gubbio, tutor of Cardinal Farnese, papal legate 345, 350, 372, 375, 378n, 386n, 389n, 396, 411, 419, 440, 445, 449, 461n, 471, 477n, 479, 481n, 488, 497n, 509f, 511n, 514n, 518, 520n, 524, 528, 531ff, 537n, 540f, 543f, 547n, 548, 554n, 558, 563, 572f, *see also* Marcellus II  
 Cesarini, Alessandro, Cardinal-deacon 311, 336, 421n, 424n, 434  
 — Giuliano, Cardinal 17ff, 24f, 119  
 Cesi, Paolo, Cardinal-deacon 280n, 311, 421n, 423n, 426  
 Chabot, Grand Admiral 305, 308n  
 Chalcedon, Council of 321n, 575n  
 Chantonnay, Thomas de, son of Granvella 469  
 Chapuis, chargé d'affaires of Charles V in London 303n, 306, 307n  
 Charlemagne 226  
 Charles V, Emperor 173f, 196f, 199ff, 203ff, 209, 211, 216ff, 220, 223-44, 249ff, 253ff, 257, 260-6, 268-71, 278-81, 284, 290, 297, 299f, 306, 308ff, 329, 340, 342, 343n, 346, 351ff, 389, 457f, 466n, 474n, 477f, 480ff, 485n, 486, 489, 491ff, 496, 502, 504, 509, 520, 523, 524n, 525, 531n, 545, 564, 568, 581  
 Charles VII, King of France 55, 63  
 — VIII, King of France 52, 58, 143, 154, 203, 231

# INDEX

- Charles VIII, his favourites 88  
 — the Bold, Duke of Burgundy 47n, 56, 73f, 141n  
 Chiari, Isidoro, Abbot of Santa Maria of Cesena, exegete 527, 570  
 Chiemsee, Bishop of *see* Pirstinger, Berthold  
 Chierigati, Francesco, Bishop of Teramo, nuncio 181n, 210, 212f, 320, 412  
 — Ludovico, auxiliary of Vicenza, brother of the nuncio 512  
 Chierigato, Lionello, Bishop of Trau, papal nuncio to Burgundy and the Netherlands 73n  
 Chieti, Bishop of *see* Carafa, Gianpietro  
 Chièvres, Grand Chamberlain, tutor of Charles V 199, 201, 225  
 Chioggia, Bishop of *see* Nacchianti  
 Chizzola, Ippolito 561n  
 Chrysostom, St John 163  
 Cibo, Innocenzo, Cardinal 265  
 Cifuentes, Count, Imperial ambassador 283, 284n, 288n, 291, 292n, 311n, 393n  
 Cisneros, Ximenes de, Cardinal, Bishop of Toledo 142f, 154  
 Cîteaux, Abbot of 143, 515  
 Cividale, Ludovico da, OFM, author of *Dialogus de papali potestate* 25n  
 Clairvaux *see* Bernard, St  
 Clement V 77  
 — VI 78, 171  
 — VII (Giulio de' Medici) 192, 194f, 204n, 213, 219f, 221n, 222ff, 228, 231-44, 255, 262-9, 272, 275, 279ff, 283-6, 287n, 288f, 291, 293, 295f, 299f, 303f, 311, 336, 346, 352, 380, 393n, 410, 416f, 419, 422, 440, 462, 493n, 501n, 523, 581  
 Clermont, envoy 57  
 — Bishop of 527, 542  
 — Synod of 45  
 Cles, Bernhard, Cardinal, Bishop of Trent (1514-39) 251, 285, 288, 292n, 293f, 311n, 316, 327n, 330, 332n, 333, 336n, 337n, 339, 367n, 373, 394n, 426n, 438n, 545, 560ff, 564ff, 568, 571  
 Cleves, Dukes of 297, 323, 342, 364, 477, 491, 495, 502, *see also* John and William  
 Clichtove, Jost 158, 163, 399  
 Cobos, Spanish minister of Charles V 271, 277n, 280n, 308, 310n, 311, 458, 515n  
 Cochlaeus, Johann 176n, 188, 194, 282n, 335, 336n, 346, 359, 373-6, 379, 394ff, 400f, 403, 404n, 407, 408n, 432, 477n, 514n, 515n, 528  
 Coelde, Dietrich, OFM, author of *Christenspiegel* 142  
 Cognac, League of 232, 235, 239, 251  
 Coimbra, Bishop of 554n  
 Colet, John, Dean 156, 158, 161  
*Collection of the Acts of the Councils* (Merlin) 349  
*Collection of the Councils* (Crabbe) 374  
*Colloquies* (Erasmus) 160  
 Colocs, Bishop of 462n  
 Cologne, Archbishop of, Ecclesiastical Elector of 262, 364, 380, 387, *see also* Hessen, Hermann von; Oberstein, Philip von; Wied, Hermann von  
 — Prior of the Charterhouse of *see* Blommeveen, Peter; Kalkar, Henry of  
 — Synod of (1536) 406  
 — University of 34ff, 38, 179n, 323, 391, 397, 509n  
 — — Rector of 64  
 Colombini, his Jesuates 146  
 Colombino, Leonardo, author of *Trionfo Tridentino* (1547) 570n  
 Colonna, family 7, 85, 88, 238  
 — General of Charles V 231  
 — Ascanio, Cardinal 450, 481n  
 — Giacomo 238  
 — Pietro 238  
 — Pompeo, Cardinal 238  
 — Vittoria, poetess 365f, 433  
*Commentarius de vera et falsa religione* 1525 (Zwingli) 402  
*Commentary on the Epistle to the Romans* (Sadoletto) 368  
*Commentary on the Epistles of St Paul* (Aquinas) 366  
 Compostella, Archbishop of, Cardinal 478n, 513n  
 Concha, Bishop of 314  
*Concordantia catholica* (Nicholas of Cusa) 22f  
*Confessio Augustana* 253n, 254, 257, 261, 274n, 306, 320, 362, 373ff, 377, 379, 381, 404f  
 — *Confutatio of the* (by the Emperor) 256, 258, 262, 404  
*Confutatio* (Bishop John Fisher) 399f  
*Confutatio primatus papae* 24  
*Consilium de emendanda ecclesia* 1537 (Gasparo Contarini) 129, 424, 426ff, 432, 434n  
*Consilium quatuor delectorum* (Contarini) 430  
 Constance, Bishop of 104n, 529n, 580, *see also* Hewen, Heinrich von; Randegg, Burkhard von; Weeze, Johann von  
 — Chapter of 67n  
 — Council of 13f, 16f, 20, 26, 28, 32ff, 44, 47, 50, 64, 78f, 84, 86, 94, 108, 202, 323, 350f, 480, 506, 553, 575n  
 — Acts of the Council of 73n  
 — Decrees of the Council of (*Sacro-sancta* and *Frequens*) 14f, 24, 26f,

# INDEX

- 29, 33, 35f, 39, 42, 44f, 48f, 51, 56f, 59, 61, 64, 67, 79, 83f, 99, 104, 107, 109ff, 122f, 125, 133, 135, 201, 287, 350, 388, 455  
 — Vicar General of *see* Fabri, Johann  
 Constantine, Donation of 162, 182, 335  
 Constantincple, Council of 575n  
 — Fall of 64  
*Constitutiones Alexandrinae* (papal decretal) 127  
 Contarini, Carlo 293n  
 — Francesco, podestà of Vicenza 338, 390n  
 — Gasparo, Cardinal, legate 129, 147f, 163, 167, 198, 222, 223n, 225, 243n, 311, 332n, 336f, 346, 353n, 368, 370, 376-90, 397, 404n, 408, 411n, 419-23, 425f, 429ff, 433f, 435n, 437-41, 444n, 445f, 449, 451f, 453n, 456, 475, 511  
 — Lorenzo, 293n  
 Conti, Sigismondo de' 71, 75  
 Contini, Giovanni, of Brescia, musician 571  
*Controversiae* 1542 (Pighius) 406  
*Conversation between Pasquillo and a German* (Corvinus) 335  
 Corcyra, Archbishop of 486n  
 Cordier, Pierre, canonist of Paris 114n  
 Córdoba, Bishop of 314  
 Corfu, Archbishop of 473, 519n, 526n  
 Coria, Cardinal of *see* Mendoza, Francisco de  
 Corner (Cornaro) Francesco, Cardinal 415n  
 Corneto, Adrian of, Cardinal 107n  
*Corpus juris canonici* 130  
 Corsetus 109n  
 Corsi, Giovanni, nuncio at Imperial Court 216  
*Cortegiano, Il* (Castiglione) 236  
 Cortese, Gregorio, Cardinal, Benedictine Abbot 368 378n, 419, 424, 426n, 440, 456, 479, 497  
 — Paolo, Cardinal 159  
 Corvinus, Antonius 335  
 — Matthias *see* Matthias Corvinus, King of Hungary  
 Cosenza, Bishop of *see* Teodoli, Giovanni  
 Cosimo I, Grand-Duke of Florence 458, 508n, 555n  
 Costa, Cardinal 126  
 Councils *see* Basle, Chalcedon, Constantinople, Ephesus, Florence, Lateran (3rd, 4th and 5th), Lyons, Mantua, Nicea, Pavia, Pisa, Siena, Speyer, Vatican, Vicenza, Vienne  
 Crabbe, Peter, Franciscan 348n, 374  
 Cracow, Matthew of 12ff  
 — University of 35f, 38  
 Cranmer, Thomas 353  
 Crépy, Peace of 501-4, 517, 542  
 Crescenzo, Marcello, Cardinal, jurist 421, 456, 479, 497  
 Critius (Krzycki), Andrew, Archbishop of Gnesen 315, 363  
 Crivelli, Andrea 563  
 Cromwell, Thomas 307n, 353  
 Croy, adviser to Charles V 308  
 Cruciger 368n, 386n  
 Cuenca, Bishop of *see* Riario, Raffaele  
 — See of 54  
 Cueva, Pedro de la 263ff, 268n, 270  
 Cupis, Domenico, Cardinal, Bishop, Dean of the Sacred College 336, 420, 421n, 424n, 434, 437, 479, 511, 539, 543  
 Cusa, Nicholas of 19, 22ff, 35, 42f, 85, 88, 118n, 120, 122ff, 190  
 Dandino, Girolamo, nuncio, secretary to Paul III 459, 471, 493n, 503, 520n, 535f, 537n, 538, 542n, 543, 546n  
 Dandolo, Matteo, Venetian envoy to France 390n  
 Dante, Alighieri 26, 227  
 Dantiscus, John, Bishop of Kulna, Polish envoy 221n, 236n, 240, 242n, 243n, 336n, 363  
*De captivitate babylonica* (Luther) 181, 392, 433  
*De comparatione auctoritatis papae et concilii* (Cajetan) 114  
*De modo concilii generalis celebrandi* (Durandus) 8  
*De officiis* (St Ambrose) 163  
*De potestate ecclesiastica* 1416 (D'Ailly) 79  
*De potestate papae* (Melanchthon) 405  
*De remediis afflictarum ecclesiarum* (Arevalo) 124  
*De spiritu et littera* (St Augustine) 367  
 Decius (Decio), Philip, canonist 39, 106n, 108f, 112, 114, 179, 350n  
*Decretum* (Gratian) 10  
 — ed. Beatus Rhenanus 162, 164  
 — Sangiorgio's commentary on 96  
*Defensor pacis* (Marsiglio) 8  
*Del beneficio di Christo* 366  
 Delfino, Pietro, General of the Camaldolese 114n, 128n, 131n, 147  
 Denis the Carthusian *see* Rickel, Denis  
 Deza, Grand Inquisitor, Archbishop of Seville 154  
*Dialogus* 1343 (Ockham) 9f  
 — (Sylvester Prierias) 170  
 — (Urbanus Rhegius) 335n  
 Dietenberger, Johann, of Frankfurt, OP 396n, 398, 405n, 406  
 Diets *see* Ausgburg, Bavaria, Estates of the Empire, Hagenau and Worms, Lucerne, Nuremberg, Ratisbon, Schmalkalden, Speyer, Worms  
 Dinteville, François de, Bishop of Auxerre 279n

# INDEX

- Diruta, Sigismondo, OFM 522*n*, 570*n*  
 Djem (pretender to Turkish throne) 69  
 Doge *see* Venice  
 Dolce, Niccolò 423*n*  
 Domenichi, Domenico de', Bishop of  
 Torcelli and Brescia 28, 83*f*, 89,  
 122*f*  
 Domenico, cathedral chaplain of Trent  
 574  
 Dominic of Prussia *see* Prussia, Dominic  
 of  
 — of San Gimignano *see* San Gimignano,  
 Dominic of  
 Dominicans, General of the *see* Cajetan  
 Dominicans of the Observance, Vicar  
 General of the Dutch *see* Uyten-  
 hove, Jan  
 Dominici, John, OP 140  
 Donato, Filippo, Bishop of Canea 341*n*  
 Dorpat, Bishop of 315*n*  
 Dorpius, Martin 158*f*, 160*n*  
 Dresden, Master Jacob of 275  
 Driedo, John 37*n*, 399  
 Driel, Nicholas, notary 579  
 Drontheim, Archbishop of 322  
 Dubois, Pierre 7  
 Dumoulin, Maître Jacques, author of  
*Vesperiae* 33  
 Durant (Durandus), Guillaume, the  
 Younger 8, 10, 159, 164*n*, 578*n*  
 Durante, Cardinal, Datary 437*n*, 526  
 Dürer, Albrecht 561  
 Duretti, Bernardino, Florentine agent  
 526*n*  
 Durham, Bishop of *see* Tunstall  
  
 Ebendorfer, Thomas 36  
 Eberhard, Duke of Württemberg 51, 143  
 Ebersberg, Abbot of *see* Leonhard  
 Eck, Johann, professor of Ingolstadt  
 144, 170, 174*ff*, 177*n*, 178*ff*, 188, 190,  
 192*f*, 198, 213, 258*f*, 287, 333*n*, 334,  
 346, 368, 369*n*, 375*n*, 376*f*, 379-82,  
 384, 390, 391*n*, 394-7, 401*ff*, 405*n*,  
 407*f*, 410, 413, 415*n*, 453*n*, 566*n*  
 — Leonhard von, Bavarian Chancellor  
 278, 295  
 Eckelsheim, Johannes, proctor of the  
 Bishop of Bamberg, cathedral  
 preacher of Bamberg 477*n*  
 Ecken, Johann von der, Chancellor of  
 Trier 202  
*Edict* 1545 (Archinto) 406  
 Edlibach, Jacob 402  
 Egmont, Georg von, Bishop of Utrecht 323  
 Egnazio 147  
 Eichstätt, Bishop of 461, 514*n*, 529, 568,  
*see also* Eyb, Gabriel von; Maurice  
 — Diocese of 178  
 — jurists of 178  
 Eleanor, Queen of France, sister of  
 Charles V 270, 501  
  
 Emiliani, Jerome 147  
 Eramanuel Philibert, Prince of Savoy  
 526*n*, 572  
 Emser, Jerome, court chaplain to George  
 of Saxony 188, 394, 397*n*  
*Enchiridion* (Eck) 395, 401, 408  
 — (Erasmus) 160  
 — 1538 (Johann Gropper) 368, 406  
 — (Herborn) 402  
 Enckenvoirt, Cardinal 208, 316*n*  
 Ephesus, Council of 575*n*  
 Epiphanius of Salamis *see* Salamis,  
 Epiphanius of  
*Epistle about the Council* (Fabri) 336  
*Epistle to Flaminio* (Seripando) 367  
*Epistola concilii pacis* 1381 (Heinrich von  
 Langenstein) 11  
*Epistola contra quemdam conciliaristam*  
 (Henricus Institoris) 102*n*, 104  
*Epistola de justificatione* (Contarini) 382*f*  
 Erasmus, Desiderius, of Rotterdam 115*n*  
 156-64, 180*f*, 195*n*, 198, 236, 242,  
 250*f*, 257*f*, 358-61, 363*ff*, 381,  
 385  
 Ercole II (d'Este), Duke of Ferrara 450,  
 453, *see also* Ferrara, Dukes of  
 Erfurt, University of 34, 36, 38, 174  
 Erhard (or Eckhart) Bishop of Worms  
 150  
 Ernest, Duke of Saxony 153, 187  
 Eroli, Cardinal 84  
 Escobar, Andrew of, author of *Gubernatio*  
*conciliorum* 19, 24  
 Espence, Claude d', Sorbonnist 508*n*  
 Essen, Adolph of, Prior of the Charter-  
 house of Trier 144  
 Estates of the Empire (including Cath-  
 olic, Protestant, German) 318, 329,  
 372, 376, 387*f*, 446, 451, 453*f*, 455*n*,  
 460*f*, 483, 491, 495*f*, 502, 507, 536,  
 545  
 Este, House of d' 88, *see also* Borso;  
 Ercole II; Ferrara, Dukes of  
 — Ippolyto d', Cardinal, brother of  
 Ercole II 107*n*, 467*n*, 493*n*, 494,  
 574  
 Estienne, Henri, the first, printer 158  
 Estouteville, Cardinal 82*n*, 85, 87*n*  
 Estraing, François d', Bishop of Rodez  
 149  
 Ettal, Abbot of *see* Maurus, Abbot of  
 Ettal  
 Ettenius, Cornelius, secretary 316, 317*n*,  
 323*n*  
 Eugenius IV 17-21, 24-27, 32, 35*ff*, 43*f*,  
 46, 48, 63*f*, 72, 79, 102, 137, 213  
 — his nephew 71*f*  
*Explanation of the Canon of the Mass*  
 (Gabriel Biel) 37  
*Expositio* (Zamometič) 104  
 Eyb, Gabriel von, Bishop of Eichstätt  
 179*f*, 294

# INDEX

- Faber, SJ 452  
 — Johann, Prior of the Dominicans of Augsburg 192, 203, 398  
 — Peter, OP 556n  
 Fabri, Johann, Vicar General of Constance, Bishop of Vienna 188, 193n, 336f, 348ff, 358, 373f, 379, 394f, 396n, 397n, 401ff, 405n, 407  
 Faleti, Girolamo 550n  
 Famagusta, Bishop of *see* Ugoni, Matthias  
 Fanneman, Balthasar, OP, auxiliary of Tetleben, Bishop of Hildesheim 473  
 Fano, Bishop of *see* Bertano, Pietro  
 Farnese, House of 91, 289f, 478, 481, 487f, 491f, 494, 506n, 507n, 530, 568, 569n, 572n  
 — Alessandro, Cardinal *see* Paul III  
 — Alessandro, Cardinal, Secretary of State (officially styled *Cardinale Nipote*) 290n, 308, 332n, 341, 344, 345n, 353n, 372, 375, 380, 382n, 384n, 390n, 418n, 440, 446n, 449f, 453f, 456, 459n, 467f, 471n, 472, 473n, 474n, 477n, 480, 481n, 487ff, 491-5, 496n, 498, 500n, 504n, 506n, 507n, 511n, 512n, 515, 517-23, 525, 528n, 530n, 532f, 534n, 535, 536n, 537f, 540n, 541, 542n, 544n, 554, 562n, 566, 568n, 572  
 — Constanza, daughter of Paul III 523  
 — Ottavio, son of Pierluigi 351, 481, 488, 491  
 — Pierluigi, son of Paul III 309, 488, 494, 500, 507n, 530, 540  
 — Ranuccio, nephew of Paul III 539  
 — Vittoria, daughter of Pierluigi 491f  
 Federigo (Gonzaga), Duke of Mantua 321, 322n, 325-8, 336n, 342, 347, 549f  
 Feige, jurist 362  
 Felinus *see* Sandaeus, Felinus, Bishop of Lucca  
 Felix V, antipope 18, 21  
 Feltre, Bernardino of, OFM 142, 146  
 — Bishop of *see* Campeggio, Tommaso  
 Ferdinand the Catholic, King of Aragon 41, 54, 61, 110n, 112, 133, 135  
 — I, King of the Romans 213n, 216f, 225, 235, 240, 242, 248, 264n, 269, 270n, 281f, 283n, 285, 291, 292n, 293f, 296f, 302, 311, 316, 318, 328ff, 333ff, 342, 344, 345n, 349, 355, 369n, 370, 373ff, 387, 396, 411, 426, 438, 453f, 461ff, 470, 475, 477, 481n, 484, 490, 491n, 493n, 500, 506f, 512, 515, 517n, 524n, 525n, 530n, 550, 556n, 562ff, 567, 569n, 575ff  
 Ferrante I, King of Naples 60f, 66n, 74f, 103  
 Ferrara, Dukes of 342, 440n, 446n, 472n, 506, 550, *see also* Borso; Ercole II  
 Ferrari, lawyer, founder of the Barnabites 147  
 Ferreri, Bonifacio, Cardinal, uncle of Filiberto Ferreri 330n, 345  
 — Filiberto, nuncio, Bishop of Ivrea 330f, 344f, 350n, 353n, 526n  
 — Zaccaria, of Vicenza, secretary of *conciliabulum* of Pisa, author of *Suasoria* 39, 106n, 109, 112, 194n, 209n, 422  
 Ferretti, auxiliary of Brescia 512, 573n  
 Fichet, Guillaume, Rector of the University of Paris 56  
 Ficino, Marsilio 155, 161  
 Fieramosca, Emperor's chargé d'affaires 238  
 Fiesole, Bishop of *see* Martelli  
 Figueroa, regent 536  
 Fillastre, Cardinal 14, 78  
 Fisher, John, St, Bishop of Rochester 303f, 399f, 402  
 Flaminio, Marcantonio, poet 366f, 497n, 498, 511  
 Flaminius, J. A. 209n  
 Florence, Archbishop of *see* Antonino  
 — Council of 19, 68  
 — fictitious synod of 59  
 — manifesto of 58  
 Flores, papal secretary 127  
 Flot 7  
 Foligno, Bishop of *see* Bertini, Antonio  
 Fonzio, Bartolomeo, OFM 275  
 Forli, Cristoforo da 216n  
 Fortiguerra, Cardinal 84, 88  
 Foscari, Marco, Venetian envoy 235n, 251n, 417  
 Foix, Cardinal 80n  
*Formula Reformationis* (Campeggio) 217  
 Fox, Bishop of Hereford 305  
 Fracastoro, Girolamo, physician to the Council of Trent 548  
 Francis, St 6  
 — Rule of 130  
 Francis I, King of France 173, 205, 218, 220, 228-32, 249, 256, 264, 270, 272f, 280f, 283ff, 290, 300ff, 303n, 304f, 309-12, 314, 324, 328, 330f, 333, 340, 342, 346f, 352f, 365, 372, 450, 453, 456f, 459, 466n, 469, 470n, 472, 486, 491-5, 501-04, 508, 515, 538, 542, 545, 577  
 — Provost of St Dorothea 490n  
 Franciscans, General of *see* Quiñónez  
 Frankfurt, Respite of 346, 371f  
 Frankfurt (a/Oder), University of 397  
 Frederick II, Emperor 498  
 — III, Emperor 21, 24, 36, 46f, 68, 69n, 73f, 101, 105  
 — — his favourites 87  
 — Bishop of Bamberg 150  
 — Count Palatine 246, 262, 273, 380f, 387



# INDEX

- Frederick, the Wise, Elector of Saxony 143, 171-4, 176, 192<sup>n</sup>, 197, 199<sup>f</sup>, 245  
 — II, Margrave of Brandenburg 152  
 Fregimellica, of Padua, physician 548  
 Fregoso, French envoy 448  
 — Federigo, Cardinal, Bishop of Gubbio 378, 382<sup>n</sup>, 419, 424, 438<sup>n</sup>  
 Freiberg, Dietrich von 67<sup>n</sup>  
 Freiburg, Kugele of 396<sup>n</sup>  
 — University of 172  
*Freiheit des Christenmenschen* (Luther) 181  
 Freising, Bishop of *see* Philip, Count Palatine  
 — jurists of 178  
 — Vicar General of *see* Jung  
*Frequens* *see* Constance, Decrees of the Council of  
 Friuli *see* Strassoldo, Pamfilio  
 Froben, Johann, printer of Basle 158  
 Fucecchio, Paolo da, OFM 40<sup>n</sup>  
 Fuchs, Dorothea, mother of Cles 561  
 Fugger, family, bankers 183  
 Funchal, Archbishop of 344<sup>n</sup>  
  
 Gaddi, Niccolò, Cardinal 468<sup>n</sup>  
 "Gadditanus" *see* Cadiz, Bishop of  
 Gaeta, Bishop of 513<sup>n</sup>  
 Gallas, General of Wallenstein 560<sup>n</sup>  
 Galasso, Battista, commissioner to fix prices in Trent 553<sup>n</sup>  
 Gallicans, Gallicanism 11<sup>f</sup>, 19, 28, 31<sup>f</sup>, 34, 41, 54, 65, 94, 107<sup>f</sup>, 111, 113, 227<sup>n</sup>, 290, 350  
 Gambara, Francesco, Captain in Emperor's service, brother of Uberto 268<sup>n</sup>  
 — Uberto, Cardinal, vice-legat of Bologna, nuncio extraordinary 268-72  
 Gaming, Lower Austria, Prior of *see* Kempf, Nicholas  
 Gammarus, Petrus Andreas (Commentary on Bull *Cum tam divino* 1528) 241<sup>n</sup>  
 Gardiner, English envoy 305, 307<sup>n</sup>  
 Gattinara, Lord High Chancellor to Charles V 199, 201, 216, 223<sup>n</sup>, 225, 227<sup>f</sup>, 231, 234<sup>f</sup>, 240<sup>f</sup>, 242<sup>n</sup>, 243, 251  
 Gatto, Bishop of Cefalù 60  
 Gauricus, Lucas, astrologer 568<sup>n</sup>  
 Gaztelù, Domenico, secretary to Mendoza 512  
 Gazzella, Tommaso 209  
 Gée, councillor 19  
 Geldern, Duke of 323  
 Gelnhausen, Konrad von 10  
 Gengenbach, Pamphilus von 206<sup>n</sup>  
 George, Cardinal, of Lisbon 36  
 — Duke of Saxony 52, 161, 174, 193, 194<sup>n</sup>, 202<sup>f</sup>, 205, 208<sup>n</sup>, 211<sup>n</sup>, 246, 247<sup>n</sup>, 252, 258, 262, 284, 295, 297, 322, 332, 345, 349, 356<sup>f</sup>, 362, 375, 394, 397, 411<sup>n</sup>  
 George, Margrave of Brandenburg 245, 296, 317  
 — Prince of Anhalt 369, 528<sup>n</sup>  
 — Prince-Bishop of Austria 316  
 Gérard, theologian 377  
 Gerardi, Maffea, Cardinal 142  
 Gerardini, papal ambassador to Basle 104<sup>n</sup>  
 Gerson, Jean 7, 10<sup>f</sup>, 16, 28, 39, 42, 94, 109, 114, 190  
 Gerwig, Abbot of Weingarten 529<sup>n</sup>  
*Gesprächbüchlein* 1524 (Alberus) 361, 407<sup>n</sup>  
 Ghinucci, Jerome, Cardinal, auditor of the Apostolic Camera 170, 172, 264<sup>n</sup>, 311, 336, 341, 412<sup>n</sup>, 420<sup>f</sup>, 423, 424<sup>n</sup>, 429<sup>f</sup>, 434<sup>n</sup>, 438<sup>n</sup>, 439, 443  
 Giacomelli, Bishop of Belcastro 422<sup>n</sup>, 473, 511, 522, 532, 534<sup>n</sup>, 539, 540<sup>n</sup>, 544<sup>n</sup>  
 Gianbattista, of Fermo, papal master of the ceremonies 339  
*Gibertalis disciplina* 418  
 Giberti, Gian Matteo, Bishop of Verona, Datary, secretary to Giulio de' Medici 163, 220, 222, 231<sup>f</sup>, 243, 284, 323, 336, 338, 341<sup>n</sup>, 352, 365, 368, 376, 378, 418<sup>f</sup>, 424, 438<sup>n</sup>, 441, 462, 463<sup>n</sup>  
 Gibò, House of 91  
 Giorgi, Sebastiano, friend of Giustiniani 147  
 Giovanni, Simon di, of Ancona, skipper 550<sup>n</sup>  
 Giovenale, Latino, nuncio extraordinary 344  
 Giovio, Paolo, historian 209<sup>n</sup>, 221<sup>n</sup>, 418, 464<sup>n</sup>, 484<sup>n</sup>, 538, 556, 572<sup>n</sup>  
 Girolamo [Basso, Bishop of Recanati] nephew of Sixtus IV 101  
 Giustiniani of Venice 293  
 — Antonio, Venetian envoy 75<sup>n</sup>  
 — Leonardo 156<sup>n</sup>  
 — Lorenzo, Patriarch of Venice 148  
 — Marino 293<sup>n</sup>  
 — Tommaso, OCamald 61, 128<sup>ff</sup>, 132, 147, 158, 164, 167<sup>n</sup>, 377<sup>f</sup>  
 Glapion, OFM, confessor to Charles V 181<sup>n</sup>, 200, 392  
 Gnesen, Archbishop of 462, *see also* Critius, Andrew; Laski, John  
 Gonzaga, House of 88, 453  
 — Ercole, Cardinal, brother of Federigo 325<sup>f</sup>, 327<sup>n</sup>, 328<sup>n</sup>, 332<sup>n</sup>, 337<sup>n</sup>, 378, 382<sup>n</sup>, 390<sup>n</sup>, 411<sup>n</sup>, 418<sup>n</sup>, 431, 434<sup>n</sup>, 435, 438<sup>n</sup>, 441, 452, 453<sup>n</sup>, 469<sup>n</sup>, 471<sup>n</sup>, 472<sup>n</sup>, 473<sup>n</sup>, 493<sup>n</sup>, 549<sup>n</sup>, 550<sup>n</sup>, 554, 556<sup>n</sup>, 561, 565, 567<sup>n</sup>, 569, 572<sup>n</sup>, 573  
 — Federigo *see* Federigo, Duke of Mantua

- Gonzaga, Ferrante 327*n*, 328*n*, 452, 453*n*, 469*n*, 493*n*  
 — Francesco, Cardinal 68, 69*n*, 87, 325*n*  
 — Giulia 365  
 — Isabella 181*n*  
 González de Mendoza, Pedro *see* Mendoza, Pedro González de  
 Görres 394  
 Gouda, Aurelius of 192, 193*n*, 207  
 Gozzadini, Giovanni, canonist 39, 42, 61, 67*f*, 100, 111, 179  
 Grabow, Matthew, OP 145*n*  
 Gradenigo, Venetian envoy 184*n*, 206*n*  
 Grammont, Cardinal 256, 272, 280  
 Gran, Archbishop of 234*n*, 462  
 Granada, Archbishop of 313, *see also* Talavera  
 Grandi, Vincenzo 563  
 Granvella, Antoine, Bishop of Arras, son of Nicolas 468, 470  
 — Nicolas, minister of Charles V 255, 271, 277*n*, 278*n*, 280*n*, 307*n*, 308, 310*n*, 311, 364, 374*n*, 375*f*, 378*n*, 379, 381, 386*f*, 388*n*, 438*n*, 440, 448*n*, 449*f*, 458*f*, 468-71, 473, 478*ff*, 482-5, 490, 493, 496*n*, 500*n*, 507*n*, 520*f*, 523*n*, 535, 543  
 Grassis, Paris de, auditor, master of the ceremonies at the opening of the Fifth Lateran Council 58*n*, 127*n*, 128*n*, 575*n*  
 Gratiadei, OFM, papal ambassador to the Emperor 104*n*, 105  
 Gratian *see* *Decretum*  
 Gratius, Ortwin 118, 287  
 Gravamina of the German nation 48, 51, 53, 133, 135, 204, 212, 215*f*, 218, 254, 278, 287, 349, 388, 401, 421  
 Grechetto *see* Zanettini  
 Gregory, St 163  
 Gregory Nazianzen, St 163  
 Gregory IX 466  
 Greiffenklau, Richard von, Archbishop of Trier 198, 202, *see also* Trier, Archbishop of  
 Grignan, French envoy at Diet of Worms 352*n*, 515  
 Grimani, Marino, Cardinal 415*n*, 434*n*, 436, 479, 500*n*, 506*n*  
 Groote, Geert 144*f*  
 Gropper, Johann, jurist, cathedral school-master of Cologne 323, 368, 381, 385, 406, 408  
 Grunenberg, printer 173  
 Grüt, Joachim am 402  
 Gryn, Bavarian agent 506*n*, 507*n*  
 Gualteruzzi, Carlo 504*n*, 509*n*, 511*n*, 513*n*, 533*n*, 534*n*, 538*n*, 539, 542*n*, 543  
 Guasco, Alessandro, Bishop of Alessandria 113*n*  
 Guatemala, Bishop of 314  
*Gubernatio conciliorum* (Andrew of Escobar) 24  
 Guerrero, President of the Royal Chamber of Naples 349  
 Guevara, Antonio 242  
 Guicciardini, historian 221*n*, 223*n*, 244, 279*n*, 280*n*  
 Guidiccioni, Alessandro, nuncio 504*n*, 515*n*  
 — Bartolomeo, Cardinal, Pope's Vicar General in Parma, author of *De Concilio* (1535) 28*n*, 90, 308, 337, 400*n*, 417*n*, 420*f*, 424*n*, 427*f*, 434*n*, 437*n*, 439, 444, 465, 479, 576*n*  
 — Giovanni, papal nuncio to the Emperor, nephew to Bartolomeo 292, 307, 329, 429*n*  
 Guidobaldo, son of Duke of Urbino, his marriage to heiress of Camerino 308  
 Gundisalvus, Villadiego, Bishop of Cadiz 41*n*, 99, 519*n*, 557*n*  
 Guzmán, Gabriel de, OP, confessor to Queen Eleanor 501  
 Habsburg, House of 264, 342, 356, 364, 370, 525  
 Hacqueville, OSA 143  
 Hagen, Chancellor 364  
 Hagenau and Worms, Diet at (1540) 374*ff*  
 Halberstadt, diocese of 473  
 Haller, Berthold 402*n*  
 Haner, Johann, cathedral preacher of Würzburg 194, 297*n*, 396*n*  
 Hangest, Hieronymus 399*n*  
 Hannart, councillor, plenipotentiary of Emperor at Nuremberg 216, 218  
 Harvel, English agent 493  
 Hausmann, preacher 369, 580*n*  
 Havelberg, Bishop of *see* Wedego  
 Hecker, Johann, Provincial of Augustinian Observants 171  
 Heeze, Dietrich 208  
 Heidelberg, University of 35, 104  
 Heimbürg, Gregory, jurist 48*f*, 35  
 Held, Matthias, Imperial Vice-Chancellor 318-21, 334, 346, 371, 375  
 Holding, Michael, coadjutor to Archbishop of Mainz 396*n*, 520*n*, 528*n*, 529, 543  
 Helt, George 369  
 "Helvetic Confession" (1536) 405  
 Henneberg, Berthold von, Archbishop of Mainz 51  
 Henry IV, Emperor 498  
 — VIII, King of England 108*n*, 256, 278*n*, 280, 283*f*, 301, 303-7, 309, 324, 327, 330, 335, 343, 352*f*, 397, 450, 504, 508, 510*n*, 511, 540  
 — Duke of Brandenburg 542  
 — Duke of Brunswick 258, 322, 380, 461, 545*n*.

# INDEX

- Henry, Duke of Orleans, 2nd son of Francis I 272, 284, 310, 342, 491f, 501, 542  
 — Duke of Saxony, brother of George 356  
*Heptameron* (Margaret of Navarre) 365  
 Herborn, Nicholas, OFM 396n, 398, 402  
 Hereford, Bishop of *see* Fox  
 Heresbach, Conrad von, disciple of Erasmus 360, 364  
 Hermannsgrün, Hans of 51  
 Herp, OFM, Superior of the Brethren of Delft 144  
 Herrera, Aphonsus de 400n  
 Hesse, Landgrave of; Grand-Duke of *see* Philip  
 Hessen, Hermann von, Bishop of Cologne 152  
 Hessler, George, Cardinal 47, 87  
 Heusenstamm, Sebastian von, Archbishop of Mainz 313n, 361n, 369n, 543  
 Hewen, Heinrich von, Bishop of Constance 150  
 Heynlin, John, of Basle, OCart 144  
 Hildesheim, Bishop of *see* Teteleben, Valentine von  
 Hinderbach, Johannes, of Hesse, Bishop of Trent 559, 564  
 Hinwyl, Hans von 379n  
 Hochstraten, Jacob, OP, Professor and Inquisitor of Cologne 190, 398, 400, 408  
 Hoetfilter, Jodocus 316, 376, 396n, 473  
 Hoffmann, Johann 293  
 Hoffmeister, Johannes, Provincial of Hermits of St Augustine 398, 403n, 404n, 405n, 406, 410  
 Hohenembs, Mark Sittich von, Cardinal, 552, 554n  
 Hohenlandenberg, papal ambassador to Basle 104n  
 Hohenwarter 552n, 555, 556n  
 Hohenzollern, princes of *see* Casimir; Brandenburg, George of  
*Holy Cross Breviary* 1535 (Quiñónez) 367  
 Honter, Johann, of Siebenbürgen 369n  
 Hosius, Stanislaus, Cardinal 554n  
 Hoyer, proxy for the Bishop of Hildesheim 514n  
 Huesca, Bishop of 478n, 513n  
 Hurtado de Mendoza, Diego *see* Mendoza, Diego Hurtado de  
 Hus, John 50  
 Hutten, Ulrich von, printer 178, 182n, 199, 201, 286, 415n, 476n  
 Idiaquez, secretary 536  
 Ignatius of Loyola, St *see* Loyola  
 Illescas, licentiate 110n, 114n  
 Illyricus, Thomas, OFM 209n  
*Imitation of Christ* (Thomas à Kempis) 144  
 Infante of Portugal *see* Alfonso, Cardinal  
 Infessura, Stephano 60n  
 Ingenwinkel, Johannes 415n  
 Ingolstadt, Lutz of, printer 178  
 Innocent III 77, 466  
 — VIII 60, 66n, 69, 75, 96, 153  
 Inquisition, Roman 366, 446f, 569  
 Institoris, Henricus, OP 28, 73n, 102n, 104f, 118n, 119  
*Institutio* 1536 (Calvin) 402, 403n  
 Isabella of Castile, Queen 54, 142  
 Isenburg, Diether von, Archbishop of Mainz 49f  
 Ivrea, Bishop of *see* Ferreri, Filiberto  
 Jacob, Nino, Jewish physician, printer 560  
 Jacobazzi, Andrew, Bishop, brother of Domenico 97n  
 — Cristoforo, father of Andrew and Domenico 97n  
 — Cristoforo, Cardinal, Datary, legate, nephew of Domenico 97n, 337n, 339, 340n, 421, 423, 438n  
 — Domenico, Cardinal, author of *De Concilio* (1538) 28n, 93n, 97 and 97n, 98f, 109f, 313, 337, 546n, 576n, 578n  
 Jaén, Bishop of *see* Merino, Cardinal; Pacheco  
 — Cathedral chapter of 314  
 Jajus, Claudius, SJ 452, 529n  
 James V, King of Scotland 314  
 Joachim I, Elector of Brandenburg, brother of Albrecht of Mainz 200, 202, 246, 256, 262, 282n, 394n  
 — II, Elector of Brandenburg 297, 322, 332, 355ff, 379f, 382, 385, 387, 389, 492  
 Joanna of Castile, wife of Philip I, King of Spain and Duke of Burgundy (mother of Charles V) 224  
 Johann, Count Isenburg, proctor of Trier 476n  
 John VIII 77  
 — XXII 8, 9  
 — XXIII 14, 27, 73n  
 — III, King of Portugal 314n, 344  
 — Bishop of Meissen 151, 213n, 580n  
 — Duke of (Jülich-) Cleves 297, 360  
 — Margrave of Brandenburg 153  
 — the Monk, canonist 77f, 81, 83, 86  
 — Frederick, Elector of Saxony 189, 245f, 249, 251, 258, 262, 275, 282, 298, 302, 305, 317-20, 322n, 323, 341n, 343, 502  
 Jonas, Justus 160n, 161n, 261, 320n, 528n  
 Jouffroy, Cardinal 85

# INDEX

- Jülich-Cleves, Duke of *see* John  
 Julius II (Giuliano della Rovere) 39, 53, 58f, 67, 75, 89, 91, 92n, 97, 106, 109ff, 114ff, 125, 127f, 131, 132n, 173, 175, 182, 201, 220, 241n, 264n  
 — III (Giovanni Maria del Monte, *q.v.*) 122, 268n  
*Julius exclusus e coelis* 115 and 115n, 116  
 Jung, Vicar General of Freising 179  
 Jüterbog, Jacob of 44, 144
- Kaisersberg, Geiler von 151, 160  
 Kalkar, Henry of, Prior of the Charterhouse of Cologne 144  
 Kalteisen, Henry OP 35  
 Kaltenmarkter, Master John 36f  
 Kampen, Heimerich von 35  
 — Johann von 336, 394, 407  
 Karlstadt, Andreas Bodenstein 174, 176n  
*Karsthans* (Luther) 181  
 Kauf, jurist 529  
 Keller, Zwinglian 275  
 Kemel, Emmerich of, OFM 104n  
 Kempf, Nicholas, OCart, of Strasbourg, Prior of Gaming in Lower Austria 143  
 Kempis, Thomas à 144  
 Kettenbach, Heinrich von 188n  
 Kettenheim, Peter von 104n  
 Kling, Konrad, OFM 398n  
 Klingenbeck, George von 214n  
 Klosterneuburg, abbey of 316  
 Knorr, Peter, Elector of Brandenburg's envoy to Diet of Nuremberg 71  
 Kolb, Franz 402n  
 Köllin, Conrad, OP, Professor at Cologne 396n, 398  
 Krania, Archbishop of *see* Zamometič  
 Kremsmünster, anonymous writer of 45  
 Kreutznacher, Ewald, secretary to Bishop of Würzburg 468n, 473n  
 Kronberg, Hartmut von 188n  
 Kulm, Bishop of *see* Dantiscus, John  
 Kymeus, Johannes 335n
- La Boussière, Abbot of 515  
 La Cava, Bishop of *see* Sanfelice, Tommaso  
 Ladislaus, of Hungary 55n  
 Laillier, Maître Jean 33  
 Lainez, Diego, SJ 557n, 570n  
 Lamberg, Ambrose von, Dean of the chapter of Salzburg 468  
*Lamentationes Petri* (pamphlet inspired by Erasmus) 189  
 Lanciano, Bishop of *see* Salazar  
 Landsberg, John Justus, OCart 144  
 Lang, Matthew, Cardinal, Archbishop of Salzburg 52, 111, 128n, 288, 294, 315f, 401, 438n, 461, 468, 490, 492
- Langenstein, Heinrich von 10f  
 Lannoy, de, Emperor's chargé d'affaires 238ff  
 Laski, John, Archbishop of Gnesen 234  
 Lateran Councils: Third 575n  
 — Fourth 385  
 — Fifth 5, 10, 15, 31, 41, 52, 75, 98, 109f, 112f, 115, 127f, 130, 132n, 133, 135, 137, 141, 155, 169, 222, 337, 412, 436, 575n, 576n  
 Latomus, Jacob 37n, 398  
 Latorff, proxy for the Bishop of Hildesheim 514n  
 Lausanne, Bishop of 580n  
 Lebus, Bishop of 394n  
 Lefèvre d'Estaples, Jacques 157f, 161, 365f  
 Leipzig, disputation of 384, 391  
 — religious conference at (1539) 357, 362f, 381  
 — University of 36, 174, 179n, 180  
 Lelli, Teodoro de' 49n, 71, 85f, 89  
 Lemp, Jakob 397n  
 Lenoncourt, Robert, Cardinal 468n, 515  
 Leo X (Giovanni de' Medici) 30, 97, 115n, 128, 131f, 135, 137, 161, 184n, 192, 194, 204f, 221, 223, 227, 230f, 240, 310, 397n, 413, 414n, 417, 581  
 Leone de Urbe, Giovanni, OP, author of *De synodis et ecclesiastica potestate* 26n  
 Leonhard, Abbot of SS Peter and Paul at Beylberg 490n  
 — Abbot of St Sebastian at Ebersberg 490n  
 Lérida, Bishop of 513n  
*Letter of congratulation* (Erasmus) 360  
*Liber sextus* (John the Monk) 77  
 Lichtenfels 556n  
 Liège, Bishop of; Cardinal of *see* Mark, Erhard von der  
 Limburg, Schenk von, Bishop of Würzburg 151  
 Lippomani, Luigi, nuncio 456, 460  
 Lisbon, Cardinal of *see* George, Cardinal  
 Loaysa, John, Cardinal 222n, 223n, 226n, 251n, 256, 262n, 265f, 267n, 268n, 272n, 274n, 288n, 419, 421n  
*Loci communes* 1547 (Hoffmeister) 406  
 — *communes* (Melanchthon) 400  
 — *theologici* (Cano) 400  
 Lodi, Martin of, jurist 81  
 Lodron, family of Trent 559, 569  
 Loreri (Lorerio) Dionisio, Cardinal, General of the Servites, nuncio extraordinary for Scotland 314, 382n, 429n, 431f, 434n  
 Lorraine, Cardinal of [Jean de Guise] 300, 324  
 — Duke of 327n  
 Lotti, Ottaviano, agent 438n, 577n

# INDEX

- Louis XI, King of France 47, 50, 55-8, 72, 103, 143, 154, 233  
 — his favourites 85, 88  
 Louis XII, King of France 52, 58, 106ff, 111ff, 203  
 — of Bavaria 8, 204  
 — V, Count Palatine 187n, 282n, 297, 323, 492, 502  
 Louise of Savoy 229  
 Louvain, Bishop of 35  
 — University of 38, 172, 175, 179n, 206f, 217, 391, 398f, 406, 509n  
 Loyola, Iñigo de (St Ignatius of) 144, 160, 419, 439, 529n, 557n  
 Lübeck, Bishop of *see* Schele, Bishop of Lübeck  
 Lucca, Bishop of *see* Sandaeus, Felinus  
 Lucerne, Diet of (1524) 580n  
 Ludovico, Cardinal, the Chamberlain (*il Camerlengo*) 84n, 85, 88  
 Luna, Count, envoy of Philip II 556, 565  
 Lund, Archbishop of *see* Weeze, Johann von  
 Lüneburg, Duke of 318  
 Lunello, General of the Franciscan Observants 309, 560  
 Lussy, Melchior, Swiss envoy 555  
 Luther, Martin 6, 44, 161f, 164, 166-207, 210f, 213, 215f, 226f, 229f, 242, 245f, 250, 256ff, 261, 275, 298, 302, 306, 319f, 348, 350, 357ff, 361f, 364n, 365, 367, 377ff, 383, 391-405, 407f, 418, 432, 495, 496n, 498n, 500, 527n, 528n, 570, 580f  
 Lützelburg, Bernhard von, OP 396n  
 Luxemburg, Philip of, Cardinal 107n  
 Lyons, *conciliabulum* transferred to 112  
 — Council of 5, 7, 10, 15, 34, 56  
 Lyra 159  
 Machiavelli, Niccolò 6, 229  
 Macon (Ch. de Hernard), Cardinal 438n  
 Madeleine, daughter of Francis I, wife of James V of Scotland 314  
 Madrid, Peace of (1526) 232, 235  
 Madruzzo, Aliprando, brother of Cristoforo 469n, 567  
 — Cristoforo, Bishop of Trent 451, 460, 463, 467f, 470, 473n, 506, 509f, 518, 526, 528n, 531, 537n, 541, 542n, 544, 549, 554, 556n, 557, 566ff, 569n, 570-4, 577, 579  
 — Giovanni Gaudenzio, President of Episcopal Council, father of Cristoforo 566f, 568n  
 — Ludovico, Bishop of Trent, nephew of Cristoforo 574  
 — Niccolò, brother of Cristoforo 469n, 533, 567, 569n, 573n  
 Maffeo, Bernardino, secretary to Cervini 512n, 531, 544  
 Magdeburg, diocese of 473  
 Magnus, John, Archbishop of Upsala 339, 472n  
 — Olaus, Archbishop of Upsala 527  
 Mai, Miguel, Imperial envoy 223, 242, 251n, 255f, 258n, 264n, 265n, 271n, 272n, 274n, 280n  
 Maillard, Olivier, OFM 143  
 Mainardi, Agostino, OSA 446n  
 Mainz, Archbishop of *see* Albrecht; Henneberg, Berthold von; Heusenstamm, Sebastian von; Isenburg, Diether von  
 — Ecclesiastical Elector of *see* Albrecht, Archbishop of Mainz  
 — Provincial Council of (1487) 67n  
 — See of 37  
 Major, Johannes 34, 114n  
 Malaga, Bishop of 513n  
 Malletta, Milanese envoy 55n  
 Malleus (Fabri) 401  
 Mallorca, Bishop of 519n  
 Malpaga, Giorgio, notary of Trent 552n  
 Malvenda, Pedro, OSB 514n  
 Manelli, Antonio 557n, 561  
 — Francesco, nephew of the Depositary 550  
 Manriquez, Pedro, Cardinal 348n  
 Mansfeld, Count 528  
 Mantova, Benedetto da, OSB 366  
 Mantua, Congress of (1459) 64f, 68, 71  
 — Council of (1537) 189, 313, 317f, 320-30, 334f, 347, 352, 380, 404, 423, 445, 455, 576  
 — Duke of *see* Federigo  
 Marangone of Bergamo (brothers) 339n  
 Marca, Giacomo della, OFM 142  
 Marcello, Cristoforo, printer 576n  
 Marcellus II (Marcello Cervini) 75, 573  
 Marco, Niccolò de, of Ragusa, skipper 550n  
 Margaret of Austria, aunt of Charles V 224  
 — of Navarre, sister of Francis I 365  
 — (of Parma), daughter of Charles V, married Ottavio Farnese 351, 494  
 — (Marguerite de Savoie), daughter of Francis I 342  
 Marillac, French ambassador 343n, 353n  
 Marini, Antonio 50, 55  
 Marius, Augustinus 402  
 Mark, Erhard von der, Cardinal, Prince-Bishop of Liège 198, 260, 297, 323, 350  
 — Robert von der 230  
 Marmoutier, Abbot of 143  
 Marquina, Pedro, Vega's secretary 535n, 536n, 537  
 Marsaner, proxy for the Bishop of Hildesheim 514n  
 Marsiglio (of Padua) 8-11  
 Marstaller, Leonhard, Professor of Ingolstadt 396n

- Martelli, Braccio, Bishop of Fiesole 527, 539f, 554<sup>n</sup>  
 Martin V 16f, 27, 29, 62, 64f, 78, 119f, 123, 127, 435, 571<sup>n</sup>  
 Martiri, Bartolomeo de' (Archbishop of Braga) 163, 560  
 Mary, Princess, daughter of Henry VIII 306  
 — Queen of Hungary, regent of the Netherlands, sister of Charles V 251, 323, 341<sup>n</sup>, 342, 481<sup>n</sup>, 507<sup>n</sup>  
 — daughter of Charles V 342  
 Massa, Antonio, Roman jurist 335  
 Massarelli, Angelo, Secretary of the Council of Trent 500<sup>n</sup>, 510, 518<sup>n</sup>, 522<sup>n</sup>, 526, 531<sup>n</sup>, 540<sup>n</sup>, 541, 543, 544<sup>n</sup>, 546<sup>n</sup>, 547<sup>n</sup>, 548, 551, 554<sup>n</sup>, 555<sup>n</sup>, 556<sup>n</sup>, 557<sup>n</sup>, 559<sup>n</sup>, 563, 567f, 572f, 574<sup>n</sup>, 577<sup>n</sup>  
 Matthias Corvinus, King of Hungary 47<sup>n</sup>, 60, 74  
 Mattioli, Andrea, author of *Il magno Palazzo del Cardinal di Trento* (1539) 564<sup>n</sup>  
 Maurice, Bishop of Eichstätt 476  
 — Duke of Saxony; Elector of Saxony 502, 568  
 Maurus, Abbot of Ettal 490<sup>n</sup>  
 Maximilian I, Emperor 52, 106f, 116, 171, 561  
 — II, Emperor 569  
 Mayr, Martin, jurist 48f  
 Mazochi, Jacob 204<sup>n</sup>  
 Medici, House of 88, 91, 220ff, 230, 232, 244, 280, 439  
 — Bernardo de' 508<sup>n</sup>  
 — Catherine de' 272, 284, 310  
 — Cosimo de' *see* Cosimo I, Grand-Duke of Florence  
 — Gianangelo de' 421  
 — Giovanni de', Cardinal 127<sup>n</sup>, *see also* Leo X  
 — Giuliano de' 60, 223<sup>n</sup>  
 — Giulio de' *see* Clement VII  
 — Lorenzo de', the Magnificent 60, 66<sup>n</sup>, 458  
 — Raffaele de', nuncio 201, 203<sup>n</sup>  
*Mediocritatem suadeo* (Francesco Pico) 161  
 Medmann 364<sup>n</sup>  
 Meissen, Bishop of *see* John  
 Melanchthon, Philip 189, 243, 251, 252<sup>n</sup>, 256-9, 261f, 264, 276, 282<sup>n</sup>, 299, 301f, 319<sup>n</sup>, 320, 321<sup>n</sup>, 324, 357, 362, 374, 377, 379, 382, 385, 386<sup>n</sup>, 391<sup>n</sup>, 392, 400, 403, 404<sup>n</sup>, 405, 495  
 Melk, Abbey of 316  
 Mella, Cardinal 82<sup>n</sup>  
 Mellini, Domenico 555<sup>n</sup>  
 Melopotamos, Bishop of 473, *see also* Zanettini  
 Mendoza, Diego Hurtado de, Archbishop of Seville 154  
 — Diego Hurtado de, Imperial ambassador at Venice 468, 471<sup>n</sup>, 473, 507<sup>n</sup>, 512, 514<sup>n</sup>, 518, 520<sup>n</sup>, 532<sup>n</sup>, 533, 542<sup>n</sup>, 547<sup>n</sup>, 548, 576, 579  
 — Francisco de, Cardinal, of Coria 440, 513<sup>n</sup>  
 — Pedro González de ("the Great Cardinal") 154  
 Mensing, Johann OP 396<sup>n</sup>, 398, 404<sup>n</sup>  
 Merbel, Peter, secretary to government of Milan 527  
 Merino, Cardinal, Bishop of Jaén 280<sup>n</sup>, 309  
 Merlin 349  
*Methodus* (Erasmus) 160  
 Metzenhausen, Johann von 323  
 Mexico, Bishop of 314  
 Michelangelo 137  
 Michiel, Cardinal, nephew of Paul II 87, 101  
 Mignanelli, Fabio, nuncio 333<sup>n</sup>, 344, 411, 507<sup>n</sup>, 514<sup>n</sup>, 515, 517f, 519<sup>n</sup>, 523<sup>n</sup>, 525, 528, 530, 536, 555  
 Mila, Cardinal 85  
 Milan, Dukes of 56, 60, 244, 300, *see also* Sforza family  
 Milledonne 547<sup>n</sup>, 549<sup>n</sup>, 552<sup>n</sup>  
 Milter, Godfrey, of Roermond 35  
 Miltiz, Karl von 173  
 Miszkowski, Chancellor 233<sup>n</sup>, 234  
 Mohammed II 69  
 Moiban, Ambrose 190<sup>n</sup>  
 Mombaer, Jean 143  
*Monarcha Juris* *see* Roselli, Antonio  
*Monarchia* (Piero da Monte) 26  
 Mondrichius, Nicolaus, proctor of Trier 476<sup>n</sup>  
*Monitorium* (papal) 36  
 Monluc, French envoy 352<sup>n</sup>  
 Mont, English agent 305<sup>n</sup>  
 Montauban, Bishop of *see* Rousergue  
 Monte, Piero da, jurist 26, 95f, 108, 337  
 — Antonio del, Cardinal, canonist 112<sup>n</sup>, 115<sup>n</sup>, 128<sup>n</sup>, 216<sup>n</sup>, 265  
 — Giovanni Maria del, Cardinal (Julius III *q.v.*) 421, 434<sup>n</sup>, 465, 479, 509f, 511<sup>n</sup>, 512, 518, 524, 526, 533, 538, 540f, 543, 548, 565, 572<sup>n</sup>, 573, 576<sup>n</sup>, 577f  
 Montenero, Giovanni di, OP, Provincial of Lombardy 26<sup>n</sup>  
 Montferrat, Theodore of, Cardinal 81<sup>n</sup>  
 Montmorency, Constable of France 229, 300, 344  
 More, Thomas 161, 303f  
 Morigia, founder of Barnabites 147  
 Morone, Giovanni, Cardinal, nuncio, son of Chancellor of Milan 198, 293, 325, 328f, 330<sup>n</sup>, 332-5, 336<sup>n</sup>, 337<sup>n</sup>, 344, 345<sup>n</sup>, 354f, 358, 361<sup>n</sup>, 369<sup>n</sup>,

# INDEX

- 371-6, 379, 380n, 381n, 384, 386, 387n, 388n, 390n, 394n, 396, 397n, 404n, 407, 411, 419, 421, 440, 444n, 445, 450-6, 461n, 464, 469, 475, 476n, 479, 482-7, 490, 492, 496, 499, 500n, 505, 506n, 529n, 559n, 562, 565, 569
- Morone, Girolamo, Chancellor of Milan 232
- Mosellanus, Petrus 364
- Mosham, Rupert von, Dean of chapter of Passau 369n
- Muneri, John OP 32
- Münster, Bishop of *see* Waldeck, Francis von
- Münsterberg, Margaret von, mother of George of Anhalt 369
- Murner, Thomas, OFM 142, 181, 192, 393
- Musaeus, OSA 367
- Muscetula, Imperial agent in Rome 262, 265f, 268n, 271n, 272n
- Musculus, divine of Augsburg 275
- Mussi, Domenico, secretary to Aleander 439n
- Musso, Cornelio, Bishop of Bitonto 473, 482, 511, 527, 538n, 577f
- Muzio, Girolamo 556
- Myconius 500n
- Nacchianti, Giacomo, Bishop of Chioggia 527, 569
- Nagelbeck, Christoph, Canon 476n
- Naples, Archbishop of *see* Carafa, Francesco
- National Councils :  
     German 214-8, 233, 246-50, 255, 278, 280, 291, 328, 332, 357, 388, 467, 482f, 490, 503  
     French (1398 and 1406) 12
- Naumburg, Bishop of *see* Pflug  
 — jurists of 178
- Nausea, Frederick, Bishop of Vienna, author of *Rerum Conciliarum Libri V* (1538), *Super deligendo futurae in Germania* etc. (1545), *Sylvae Synodales* 313n, 336n, 341n, 348n, 361n, 363n, 373, 375f, 394, 396, 397n, 404n, 405n, 406f, 476n, 477, 490, 512n, 515n, 528n, 546n, 551
- Navagero, Bernardo, Venetian envoy 431, 432n, 441, 500n, 521n
- Navarre, Margaret of *see* Margaret
- Naves, Vice-Chancellor 507n
- Necrosius, OP 528n, 529
- Negri, Girolamo 206n, 386n
- Netherlands, regent of *see* Mary, Queen of Hungary
- Neri, adviser of Clement VII 283n
- Neudeck, Bishop of Trent 561
- Neydeck, Martin von, Archdeacon of Trent 565, 567n
- Neydecker, Paul 476n
- Nice, Bishop of 526n  
 — congress of 291n, 340, 342, 536  
 — truce of 352, 448
- Nicea, Council of 575n
- Nicholas IV 77  
 — V 21, 30, 36, 44, 46, 55n, 63ff, 120
- Nider, Johann, OP 139, 143, 150, 164
- Niem, Dietrich von 10-14
- Nigri, John, OP 143
- Niño, agent, Pole's colleague 262n, 436n, 438n
- Nobili, Cesare de', nuncio 324, 331, 479n
- Nogaret 7
- Noircarmes, Emperor's agent 270
- Numagen, Peter 73n, 117n
- Nuremberg, Council of 297  
 — decisions of 233  
 — Diet of (1522-3) 50, 71, 187, 210-3, 432  
 — Diet of (1524) 214, 216, 218, 245f, 253  
 — Diet of (1542) 46of  
 — Diet of (1543) 469, 471, 475f  
 — Federation of 356, 45of, 475  
 — Pacification of (1532) 277, 279, 319, 370, 386  
 — Union of Princes (1461) 49
- Oaxaca, Bishop of 314
- Oberstein, Philip von, Bishop of Cologne 152
- Ochino, Bernadino, Vicar General of the Capuchins 365, 446, 447n
- Ockel, papal ambassador to Basle 104n
- Ockham, William of 9f, 28, 159, 167f, 188
- Odasio, David, Chamberlain 499f, 501n
- Oecolampadius, Johann 162, 189n, 366, 402, 403n
- Oittinger (Ettinger) secretary 559n
- Oleastro, Hieronymus ab 544n
- Olivi, John Peter 6
- Olmütz, Bishop of 462n, *see also* Thurzo, Stanislaus
- Origen 159
- Orleans, assembly at 57  
 — Duke of 310, *see also* Henry  
 — University of 509n
- Orsini, House of 88  
 — Cardinals 56, 69n, 82n, 85, 87n, 104n, 119
- Osma, Bishop of 314  
 — Peter of 41
- Otranto, Archbishop of *see* Capua, Pietro Antonio di  
 — fall of 69
- Otto, Cardinal of Augsburg 260
- Otoni, Luciano degli, Abbot 527
- Oviedo, Bishop of 554n

# INDEX

- Pacheco, Bishop of Jaén 506*n*, 513*n*, 527, 537, 542ff, 568  
 Pack, counsellor to George of Saxony 246  
 Padua, Bishop of *see* Barozzi, Pietro  
 — Marsiglio of *see* Marsiglio  
 — University of 39  
 Paget, English delegate 508  
 Palatinate, Elector of the (Count Palatine) *see* Frederick; Louis  
 Palazzolo, Raffaele, Milanese adventurer 275f  
 Palencia, Bishop of 314, 514*n*  
 Palermo, Archbishop of 527, 575  
 Palmerio, Gianbattista 510  
 Palomar, John of 24  
 Pampeluna, Bishop of 507*n*, 527*n*  
 Pamphlets, controversial:  
   Catholic 190, 336, 393ff, 405ff  
   Protestant 189f, 201ff, 286, 335, 432, 500, 528  
 Pandolfini, envoy 73*n*  
 Panormitanus *see* Tudeschi, Niccolò  
 Pappacoda, Sigismondo, Bishop of Tropea 424*n*  
 Paris, Archbishop of *see* Bellay, Jean du; Poncher  
 — John of, OP 7, 10  
 — University of (and the Sorbonne) 32-6, 38, 61, 66*n*, 67*n*, 110, 159, 162, 172, 174, 178, 179*n*, 185, 201, 365, 383, 392, 406, 509*n*  
 — Rector of the University of *see* Fichet, Guillaume  
 Parisio, Pierpaolo, Cardinal, Professor of Civil Law at Padua 421, 438*n*, 464, 469f, 479, 482, 494*n*, 505, 511  
 Pasquali, Alberto, OP, author of *De potestate papae super concilium* 115*n*  
 Passau, Bishop of 178, 369*n*  
 Pate, British Envoy to Charles V 307  
 — Richard, Bishop of Worcester 468*n*  
 Patrizio (Patrizzi), Agostino 75*n* 576*n*  
 Paul II 47, 50, 55f, 71, 85ff, 91, 124  
 — III (Alessandro Farnese) 28*n*, 76, 147, 265, 268, 280*n*, 287*n*, 288-92, 294, 298, 308ff, 320, 326f, 331-6, 346ff, 352, 354, 360, 370, 376, 378, 393*n*, 411, 417ff, 421ff, 431f, 434, 438, 440, 444, 446, 448, 458f, 462*n*, 467, 469, 478, 480ff, 486f, 489, 492*n*, 494, 496*n*, 500*n*, 503, 509, 523, 525, 530, 540*n*, 545, 568, 574*n*, 581  
 — IV (Gianpietro Carafa, *q.v.*) 124, 162, 369, 432*n*  
 Paula, Francis of, founder of Friars Minim 143  
 Pavia, battle of 226, 228, 232, 235, 241, 244  
 — Bishop of 431  
 — General Council convened at (transferred to Siena 1423) 17  
 Pavia, Professor of Canon and Civil Law at *see* Sangiorgio  
 — University of 39  
 Pazzi, conspiracy of 57, 60, 102  
 Pelargus, Ambrose, of Hesse, OP, Proctor of Trier 396*n*, 398, 476*n*  
 Pelayo, Alvaro, OFM 8  
 Pellican 181*n*  
 Peraudi, Cardinal legate 153  
 Perez, Roman ambassador 237  
 — Martin 400  
 Pergner, Jacob, Proctor of Trier 476*n*  
 Perusco, Marius de, Fiscal-procurator 170  
 Pesaro, Bishop of *see* Simonetta, Ludovico  
 Pescara, Marchese di (Ferrante d'Avalos), General to Charles V 231f  
 Petri, Johann, printer 158  
 Peutingen, Jacob, Deputy of Augsburg to Diet of Worms 159, 202  
 Pflug, Julius, Councillor of George of Saxony, Dean of the Cathedral of Meissen (Bishop of Naumburg) 357, 364, 370*n*, 381, 385  
 Philip the Fair, King of France 7f  
 — Duke of Burgundy, King of Spain, father of Charles V 224  
 — II, Regent of Spain, son of Charles V 485*n*, 513, 514*n*, 565, 569  
 — Count Palatine, Bishop of Freising 177*n*, 294  
 — le Bon, Duke of Burgundy 21*n*, 224  
 — Landgrave of Hesse; Grand-Duke of Hesse, 245, 249, 252, 253*n*, 256, 258, 259*n*, 285, 298, 318f, 322*n*, 343, 357, 362, 374, 380, 385, 389, 493, 502  
 — Margrave of Bavaria 187*n*  
 — Emmanuel, Duke of Savoy 526*n*  
 Piacenza, Bishop of 519*n*  
 — Synod of 45  
 Piccolomini, Aeneas Silvius *see* Pius II  
 — Francesco, Cardinal, nephew of Pius II *see* Pius III  
 — Giovanni, Cardinal, Bishop 311, 332, 423*n*, 424*n*  
 Pico, Francesco (Gianfrancesco), nephew of Giovanni Pico 156, 161  
 — Giovanni 155f, 160  
 — della Mirandola, Giovanni Tommaso, papal nuncio 249  
 Pighetti, Antonio, of Bergamo 509  
 Pighino, Sebastiano, auditor of the Rota 527, 575  
 Pighius, Albert, theologian, Imperial statesman 37*n*, 335, 377, 381*n*, 384*n*, 391*n*, 396*n*, 399, 403*n*, 406, 408  
 Pilgrimage of Grace 352  
 Pimpinella, nuncio 333  
 Pincius, Janus Pyrrhus, author of *De vitis pontificum Tridentinorum* (1546) 561*n*, 564*n*



# INDEX

- Pio, Alberto, of Carpi *see* Carpi  
 — Rodolfo, of Carpi *see* Carpi  
 Piombo, Sebastiano del 221n  
 Piro della Marca, Giovan Paulo Ungini dalla 550n  
 Pirstinger, Berthold, Bishop of Chiemsee, author of *Tewtsche Theologie* 401  
 Pisa, Archbishop of 72  
 — Assembly of 14, 31, 78, 98ff  
 — *Conciliabulum* of (1511) 34, 39, 58, 106, 113, 116, 422  
 — General Council of 53, 107, 110  
 Pisani, Francesco, Cardinal 415n  
 Pistoia, Antonio da, Sforza's Roman agent 82n  
 Pistoris, Simon, jurist 358n, 364, 386n  
 Pistorius 251n, 382  
 Pius II (Aeneas Silvius Piccolomini) 19, 24, 32n, 36, 43, 46, 48ff, 55, 63ff, 67f, 70f, 84f, 91, 95n, 121, 123f, 127, 162, 173, 175, 201, 235, 284, 414n  
 — III (Francesco Piccolomini) 51, 71, 75, 84, 126  
 — IV (Gianangelo de' Medici) 28n, 569, 574  
 — V (Michele Ghislieri) 130, 437n  
 Planitz, Hans von der, jurist, Saxon Councillor 197, 211n  
 Platina 71  
 Plotis, de, Mantuan agent 432, 433n, 435n  
 Podiebrad, George, of Bohemia 49ff  
 Podio, Auxias de, Cardinal, legate 69n, 74  
 Podocataro, Ludovico, Papal secretary 127  
 Poggio (the humanist) 115  
 — Gianfrancesco, son of Poggio the humanist 114  
 — Giovanni, nuncio 307n, 314n, 344, 345n, 346, 372, 375, 379, 412n, 438n, 448n, 456, 458n, 467, 472, 485, 490n, 491n, 493, 496n, 499, 500n, 504n, 506, 508n, 513  
 Poitiers, University of 110  
 Poland, King of *see* Sigismund  
 — envoy of King of *see* Tarnowski  
 Pole, Reginald, Cardinal, deacon 336, 345n, 352f, 366, 368, 378, 382n, 419, 423, 424n, 429, 433, 434n, 436n, 438n, 440, 464, 468n, 469f, 478, 482, 497f, 505, 509ff, 524n, 540f, 548, 569  
 Pommerania, Duke of 318  
 Poncher, Archbishop of Paris 149  
 Pontano, Ludovico 25, 39  
 Pornaxio, Raphael de, OP 26  
 Porta, Ardicinus de, Cardinal 119  
 Portugal, King of 240, 280, 314, 327n, 337  
 — envoys of King of 40  
 — Cardinal of 88  
 Porzio, Girolamo 111  
 Posen, Bishop of 16  
 Povo, Enrico di, commissioner to fix prices in Trent 553n  
*Praeparatoria* (Fabri) 403  
 Praët, Louis de, Emperor's agent 270, 272, 280n, 364  
 Pragmatic Sanction of Bourges 20f, 45, 54f, 132f, 154, 506n  
 Prague, Archbishop of 550n, 556n  
*Praise of Folly* (Erasmus) 160  
 Prée 574n  
 Prevesa, battle at (1538) 342  
 Prie, de, Cardinal 107, 112  
 Prierias, Sylvester, OP, Master of Sacred Palace 28n, 170, 172, 185, 190f  
 Priuli, Aluise 382n  
 Probus, Philip, of Bourges 77n  
*Procuratorium* (Louis XII) 108  
*Professio Fidei Adriani VI* 207  
*Professio Fidei* (Boniface VIII) 15n, 80, 83  
*Provisiorium* (Truchsess) 261  
 Prussia, Dominic of, Prior of the Charter-house of Trier 144  
 Pseudo-Dionysius 22  
 Pucci, family 420  
 — Antonio, Cardinal, adviser of Clement VII 283n, 421, 423n, 434f, 483n  
 — Lorenzo, uncle of Antonio 131n, 421  
 — Roberto, uncle of Antonio 421  
 Pulka, Peter von 17  
 Quentel, Peter, printer 348n  
 Queta, Antonio, jurist, secretary to Cles 510, 512, 565, 576  
 Quiñónez, Francisco de, Cardinal, Emperor's chargé d'affaires, General of the Franciscans 181n, 238f, 242, 265, 266n, 338 345n, 367, 419, 421n, 424n  
 Quintana, jurist, Emperor's confessor 276, 513n  
*Quintuplex psalterium* 1509 (Lefèvre) 157  
 Quirini, Vincenzo Pietro, OCamlald, author of *Tractatus super concilium generale* 28n, 61, 114n, 115n, 128ff, 132, 135n, 147, 157f, 164, 353n, 377, 382n, 383n, 386n, 390n  
 Quistellius, Ambrosius, OESA 367n  
 Radinus 190  
 Ramung, Matthias, Bishop of Speyer 151  
 Randegg, Burkhard von, Bishop of Constance 151  
 Rangoni, Guido, condottiere, cousin of Ugo 281n  
 — Ugo, Bishop of Reggio-Emilia, nuncio 281, 283, 285n, 296, 308, 311, 336, 338, 339n, 341n, 526n  
 Raphael 137

# INDEX

- Ratisbon, Administrator of 294  
 — Bishop of 461  
 — Book of (Groppe) 381ff, 385, 386n, 387  
 — *Colloquium* 535, 543  
 — conciliar attempt at 309  
 — Diet of (Christentag) (1471) 45, 71  
 — Diet of (1532) 277f  
 — Diet of (1541) 346, 350, 357, 370, 377, 379-91, 409, 411, 438, 446ff, 449n, 451, 455, 459, 471, 481, 487, 502, 523  
 — Diocese of 178  
 — secret declaration of 496  
*Ratschlag* (Johann Faber) 192  
 — (Melanchthon) 302  
 Rauch, Peter, OP 404  
 Ravenna, battle of (1512) 111f  
 Rayttenpuech, Wilhelm von, Augustinian provost 490n  
 Rebstock 552n  
 Redwitz, Weigand von, Bishop of Bamberg 297  
 Reggio-Emilia, Bishop of *see* Rangoni, Ugo  
*Regula pastoralis* (St Gregory) 163  
 Reisch, Gregory, of Freiburg OCart 144, 157  
 Renato 538n  
 Rennes, Bishop of 527, 538, 541f  
*Repertorium juris* 26  
 Rethymo, Bishop of 341n  
 Rhegius, Urbanus 275, 335n, 407n  
 Rheims, Archbishop of *see* Ursins, Jouvenel des  
 Rhenanus, Beatus 159, 162, 527  
 Rhodes, Fall of 210  
 Rhodigio, Zacharias de, tractarian 209n  
 Riario, Cesare, Latin Patriarch of Alexandria 337  
 — Raffaele, Cardinal, nephew to Sixtus IV 54, 72, 155  
 Ricalcati, Ambrosio 290n, 302n, 303n, 305n, 309n, 310n, 335n  
 Ricci, Giovanni, of Montepulciano, contractor, nuncio to Portugal, Farnese agent 339, 372, 457, 493n, 497n, 498  
 — Orlando, inspector of the fortresses of the Papal States 463  
 Rickel, Denis, the Venerable (Denis the Carthusian) 43, 144, 286n  
 Ridolfi, Niccolò, Cardinal 110n, 113, 434, 436f  
 Riga, Archbishop of 315  
 Rincone, French envoy 448  
 Robertet 111  
 Roccabruna, family of Trent 559  
 — Canon 565  
 Rochester, Bishop of *see* Fisher, John  
 Rode, John, OCart 144  
 Rodez, Bishop of *see* Armagnac, Georges d'; Estraing, François d'  
 Roermond, Bartholomew of, OCart 43  
 — Godfrey Milter of *see* Milter, Godfrey  
 Roillard, Jean, *cursor* 505  
 Romanis, Humbertus de, author of *Opus tripartitum* 7n  
 Romanus, Aegidius, author of *De Potentia ecclesiastica* 8n, 78  
 — Ludovicus, canonist 94, 96, 109n, 227n  
 Romberg, Horst von, OP 394n  
 Rome, "Sack of" 232, 239, 412, 416  
 Romuald, St, Order of 377  
 Rorario, Girolamo, nuncio to Archduke Ferdinand 115n, 213n, 333  
*Rosetum* (Jean Mombaer) 143  
 Rosselli, Antonio 26, 227n  
 Rosin, nuncio, papal agent in Switzerland 474, 529  
 — Stephen, Provost, proxy for the Bishop of Hildesheim 477, 490, 514n  
 Rotenhan, jurist 212  
 Rouserque, Bernard de, auditor of Cardinal Foix, successively Bishop of Bazas, Montauban and Toulouse 80 and 80n, 81  
 Rovere, House of 91  
 — Francesco della, Cardinal 87, 101 *see also* Sixtus IV  
 — Giuliano della, Cardinal 56, 58n  
 Roy, Pierre le 12  
 Royas, Francisco de, Spanish envoy 75n  
 Rubeanus, Crotus 286  
 Rückert, Hans 383  
 Rüdesheim, Rudolf of, nuncio 49  
 Ruggieri, agent of Ferrara 446n, 478n, 481n, 488n, 497n  
 Rupe, Anthony de 104n  
 Rupescissa, John de, Cardinal 119  
  
*Sacrosancta see* Constance, Decrees of the Council of  
 Sadoletto, Jacopo, Cardinal 274n, 336, 344, 353n, 363, 368, 378, 399, 407n, 419, 423f, 426, 431n, 432, 440, 459n, 460, 467, 492, 569  
 Sager, Kaspar, OFM, representative of Archbishop of Bremen at Council of Mantua 334n  
 Sailer, Gereon 494n  
 St Dorothea *see* Francis, Provost of  
 St Florian, Abbey of 316  
 St Gall, Abbot of 474n  
 St Maurice, Imperial ambassador 508n, 515n  
 Salamanca, Bishop of *see* Bobadilla  
 Salamis, Epiphanius of 393  
 Salazar, Bishop of Lanciano 441n, 513n  
 Salerno, Prince of 367  
 Salmeron, Alphonsus SJ 557n, 570  
 Saluzzo, Cardinal of 62

# INDEX

- Salviati, Giovanni, Cardinal, legate, son of Jacopo Salviati 221n, 223ff  
 — Jacopo, brother-in-law of Leo X 223, 235n, 242, 258n, 263n, 265n, 266n, 272n, 275ff, 283n, 410, 411n  
 Salza, Jacob von, Bishop of Breslau 192, 193n, 315, 394n, 477n, 515n  
 Salzburg, Archbishop of 178, *see also* Lang, Matthew; Weissenbriach, Cardinal  
 San Bonifacio, Conte di 510n  
 Sánchez, Agent of Ferdinand I 291n, 292n, 294n, 311n, 327n, 332n, 333, 336n, 337n, 426  
 Sanctis, Jacobus de, of Carpi 415n  
 Sandaeus, Felinus, canonist, Bishop of Lucca 60, 61n, 86n, 96f, 108, 109n, 126, 238n  
 Sanfelice, Tommaso, Bishop of La Cava 462f, 467f, 469n, 471, 473, 500, 509f, 546n, 549, 551n, 558n, 564n, 571  
 Sanga, secretary to Clement VII 267, 277n  
 San Gimignano. Dominic of 96n  
 Sangiorgio, Giovanni Antonio, Cardinal, Professor of Canon and Civil Law at Pavia 28n, 89, 96f, 108f, 112n, 126, 238n  
 San Marco, Bishop of 513n  
 Sanseverino, Federigo, Cardinal 107, 266n, 336n, 423n, 424n  
 Santa Fiora 570n  
 Santa Maria of Cesena, Abbot of *see* Chiari, Isodoro  
 Sanzio, Bernardo, Bishop of Aquila 376n, 379n  
 Sardagna, family of Trent 559  
 Sarno, Bishop of *see* Sfondrato  
 Sarpi, Paolo, OServ, historian 195, 210n, 243n, 427, 577n  
 Sassari, Archbishop of 554n  
 Sassoferrato, Alessandro of, Cardinal, General of the Augustinians 84, 142  
 Sauvage, Grand Chancellor 225  
 Savelli, House of 88  
 — Flaminio 500n, 517n  
 Savonarola, Girolamo, OP 31, 40, 42, 44, 142, 155, 232  
 Savoy, Louise of *see* Louise  
 — Duke of 327n, 330n, *see also* Philip Emmanuel  
 Saxony, Duke of *see* Albrecht; Ernest; George  
 — Elector of 329, 357, 369, 374, 379, 404, *see also* Frederick the Wise; John Frederick  
 — Ludolph of, OCart, author of *Vita Christi* 144  
 — University of the Electorate of 166  
 Schatzgeyer, Caspar OFM 398  
 Schele, Bishop of Lübeck 19n  
 Schepper, Cornelius, secretary to Emperor 251, 257, 364  
 Scherenberg, Rudolph von, Bishop of Würzburg 151  
 Scheurl, Christoph, jurist, member of city council of Nuremberg 175n, 188, 190, 192, 286n, 333n, 334n, 395n, 566  
 Schiner, Matthew, Cardinal 194, 208  
 Schmalkalden, Articles of (1536) 320, 375, 404  
 — Diet of 348, 485n  
 — League of 189, 273, 277f, 282, 290, 295f, 298f, 301f, 304f, 309, 317-22, 324, 326n, 327, 328n, 329n, 331, 341n, 348, 353, 356, 364, 370f, 374f, 380, 387, 389, 493, 495, 502, 517, 521, 523, 529, 530n, 535, 542  
 Schnepf, Philip of Hesse's theologian 259  
 Schönberg, Nicholas von, OP, Cardinal, Archbishop of Capua 52, 194, 222, 231, 235n, 239, 265n, 268, 427, 432  
 Schotten, Abbot of the, at Vienna 490n  
 Schulz, Bishop of Brandenburg 178  
 Schurff, jurist 177n, 197  
 Schwabach, articles of (1529) 404  
 Schwarzenberg, jurist 211  
 Scotland, King of 327n, *see also* James V  
 Scotus, Duns 188  
 Scultellius, Nicholas, OSA 570n  
 Sebastian, Bishop of Trent 150  
 Seeland, Master Rudolph of 35  
 Segni, Bishop of 329, 334n  
 Segovia, Bishop of 314  
 — Juan of, theologian, author of *De tribus veritatibus fidei, Justificatio sententiae contra Gabrielem, Tractatus X avisamentorum* (1439) 19, 25, 27, 75n  
*Sentences* (Cortese) 159  
*Sententia* (Henry VIII) 335  
 Seripando, Girolamo, Cardinal, General of the Augustinians 156, 209n, 285, 290, 341n, 365, 367f, 408n, 409, 438n, 506n, 511n, 527, 544, 554n, 560, 565, 577n, 579  
 Sernini 434n, 435n, 438n, 444n, 464n  
 Serristori, Averardo, envoy of Cosimo of Florence 458, 491, 494n  
 Servites, General of 544n  
 Sessa, Duke of, Imperial Ambassador in Rome 208n, 210, 223, 233, 545n  
*Seven Sacraments* (Henry VIII) 397  
 Severoli, Africano 209n, 414  
 — Ercole, Promoter of the Council of Trent 527, 544n, 574n, 575, 577n, 579  
 Seville, Archbishop of 133n, 134, *see also* Deza; Mendoza, Diego Hurtado de  
 — Cardinal of 468

# INDEX

- Sfondrato, Francesco, Cardinal, jurist,  
Bishop of Sarno 440, 492f, 503,  
506f, 567n  
— Niccolò (Gregory XIV), son of Fran-  
cesco 492n  
Sforza, House of 88, 230  
— Ascanio, Cardinal 40n  
— Francesco Maria, Duke of Milan  
244, 300  
— Galeazzo 56  
— Giangaleazzo 60  
Siber, John 38  
Sichem, Eustace of 399n  
Siena, Bernardine of, OFM 142  
— council at 17, 35, 120  
Sigismund, Emperor of the Holy Roman  
Empire, King of Hungary and  
Bohemia 15f, 46, 48, 52, 269, 278,  
321, 351  
— I, King of Poland 234, 240, 280,  
327n, 373, 472  
— Count of Tirol 49, 67n, 547n  
Silva, Miguel de, Cardinal, Bishop of  
Viseu 344, 438n, 440, 458, 460  
Simonetta, Giacomo, Cardinal, Dean of  
the Rota, canonist of the Curia 311,  
335n, 336, 338, 341, 345, 421, 423,  
424n, 426, 429f, 438n, 554n, 565  
— Ludovico, Bishop of Pesaro 519n,  
539  
Siney, French agent 472n  
Sirleto, Guglielmo, Cardinal 85n, 162  
*Six Articles* 353  
Sixtus IV (Francesco della Rovere) 30,  
47, 54, 56, 58f, 61, 66n, 67, 69, 72-5,  
87, 90, 96, 101f, 104n, 125ff, 155,  
204, 435f  
— V (Felix Peretti) 130  
Sleidan, Johann, historian 195, 413n,  
427n, 528n, 552n, 555  
Slosser, Domenico, commissioner to fix  
prices in Trent 553n  
Soderini, Francesco, Cardinal 210, 231  
Soliman the Great, Sultan, Grand Turk  
244, 249, 290, 293, 370  
Soriano, Antonio, Venetian envoy 221n,  
223n, 264n, 283n, 284n, 288n, 292n,  
336, 417  
Soto, Domíngo, OP, Emperor's confessor  
1548-9 132n, 400, 513n, 527, 537,  
560  
— Pedro, Emperor's confessor 1542-8  
500n, 560  
Spalatin 176n, 197, 298n  
Spanish Concordat 494  
Spengler, Lazarus 188n, 214n  
Speyer, Bishop of *see* Ramung, Mat-  
thias  
— Council of 233  
— Diet of (1526) 247f, 252  
— Diet of (1529) 242, 248f, 252  
— Diet of (1542) 451ff  
Speyer, Diet of (1544) 492, 494ff, 503,  
507, 516  
Spiritibus, Pompeius de 577  
*Spiritual Exercises* (Ignatius of Loyola)  
419  
Sporenberg, Euphemia von, mother of  
Cristoforo Madruzzo 566f  
Stadion, Christoph von, Bishop of Augs-  
burg 151, 202, 212n, 251, 258, 295,  
317, 362n, 363, 451, 453n, 460f, 476  
Standonck, of the Congregation of Win-  
desheim 143, 149  
Status, Leonardus, General of the Dom-  
inicans 16n  
*Statuto Clesiano* 563  
*Statutum tridentium* (Cles) 560  
Staupitz, Johann, Vicar General of the  
Augustinian-Observants 143, 166  
*Stimulus pastorum* (Bartolomeo de' Mar-  
tiri) 163  
Stör, provost of Berne 103  
Stoss, Andreas, Provincial of the Carmel-  
ites, proctor of Bishop of Bamberg  
334n, 362n, 398  
— Veit, sculptor, father of Andreas 334n  
Strasbourg, Bishop of 475  
— Burchard of, papal master of cere-  
monies 58n, 88  
— Nicholas Kempf of *see* Kempf,  
Nicholas  
Strassoldo, Pamfilo, of Friuli, nuncio  
extraordinary for Poland 314f  
Strenberger, Erasmus, canon of Trent  
477, 490, 551, 560  
Strozzi, Filippo 343  
— Giovanni, Florentine envoy to Trent  
555n  
— Ludovico 554  
— Pietro 494  
Stuffer, Konrad, parish priest of Wissing  
191n  
Sturm, Jacob, delegate of Strasbourg to  
the Estates 249f  
— Johann, pedagogue of Strasbourg  
412n, 432, 494n, 542n  
*Summa de ecclesia* (Torquemada) 27-30,  
70, 82, 130n  
Summenhart, Konrad 52  
*Supremacy, Act of* (1534) 303  
Surgant, Ulrich 38  
Swiss Confederation 323  
*Sylvae Synodales* (Nausea) 477  
Syracuse, Bishop of 527  
  
Tabarelli, family of Trent 559  
— Antony, dean of the cathedral of  
Trent 565  
— Donato, Canon of Trent 565  
Tagliada, Giuliano, OP, Bishop of Bosa  
in Sardinia 26n  
Talavera, Archbishop of Granada 142

# INDEX

- Tapper, Ruard, dean of Louvain 37<sup>n</sup>, 399  
Tarnowski, Polish envoy 234<sup>n</sup>  
Tasso, Torquato 574  
Tauler 167  
Tebaldi, Cardinal 85  
Teodoli, Giovanni, Bishop of Cosenza 208  
Termoli, Bishop of (nephew of Cardinal Durante) 526, 544<sup>n</sup>  
Tertullian 408  
Tetleben, Valentine von, Bishop of Hildesheim 473 482f, 514<sup>n</sup>  
*Tetrapolitana* 405  
Tetzl, OP 169f  
Teutonic Knights 315  
Thiene, Gaetano da (Cajetan of Thiene), Cardinal, founder of Theatines 146, 418  
Thun, family of Trent 559, 565  
— Sigismund von, Ferdinand's second envoy to Trent 469<sup>n</sup>, 556<sup>n</sup>  
Thüngen, Konrad von, Bishop of Würzburg 297  
Thurzo, Stanislaus, Bishop of Olmütz 315, 363  
Tiepolo, Niccolò 147, 223<sup>n</sup>, 227, 251<sup>n</sup>, 256<sup>n</sup>  
Tirol, Counts of 559, *see also* Sigismund Titian 445, 566  
Toledo, Archbishop of 313, *see also* Carillo, Alonso de; Carranza, Bartolomeo; Cisneros, Ximenes de  
— Francis of, nuncio 49  
— Juan Álvarez de, Cardinal of Burgos *see* Álvarez  
— Pedro de, viceroy of the Emperor at Naples 343, 513<sup>n</sup>, 514  
Tollentis, Luca de, Bishop of Sebenico, papal nuncio to Burgundy and the Netherlands 73  
Tolomei, Lattanzio, diplomatist 367  
Tono (Thun), Girolamo, commissioner to fix prices in Trent 553<sup>n</sup>  
Torcelli, Bishop of *see* Domenichi, Domenico  
Torelli, the Tuscan 556, 558  
Torgau, articles of 404  
Torquemada, Juan de, OP, Cardinal 26<sup>n</sup>, 27-30, 33, 37, 39, 41, 70, 82, 86, 88, 95f, 115<sup>n</sup>, 130<sup>n</sup>, 191  
Toulouse, Archbishop of *see* Rousergue, Bernard de  
— University of 110  
Tournai, Gilbert of 7  
Tournon, François, Cardinal 280, 350<sup>n</sup>, 467<sup>n</sup>  
Tours, Archbishop of 19  
— assembly of clergy at (1493) 143, 149  
— assembly of prelates at (1510) 107  
Tozio, Luca da 60  
Trautmannsdorf, family of Trent 559  
Traversari, Ambrozio 156  
Trent, Bishop of *see* Cles, Bernhard; Hinderbach; Madruzzo, Cristoforo; Sebastian  
Tretius, Petrus Albinianus, author of *Consultatio de concilio generali* 238<sup>n</sup>  
Trier, Archbishop of; Ecclesiastical Elector of 173, 178, 198, 202, 323, 380, 387, 453f, 476, 492, *see also* Greiffenklau, Richard von  
— Chancellor of *see* Ecken, Johann von der  
— Charterhouse of *see* Essen, Adolph of; Prussia, Dominic of  
Triumphus, Augustinus, of Ancona, author of *Summa de ecclesiastica potestate* 8, 78, 93<sup>n</sup>  
Trivulzio, Agostino, Cardinal, legate 310, 312, 324, 424<sup>n</sup>  
— Catalano, of Piacenza 539  
— Filippo, papal nuncio 272, 332<sup>n</sup>  
Tropea, Bishop of *see* Pappacodo, Sigismondo  
Truchsess, Otto von, Cardinal, Bishop of Augsburg 460, 461<sup>n</sup>, 462, 472, 475-8, 492, 506, 507<sup>n</sup>, 517, 519<sup>n</sup>, 521<sup>n</sup>, 529<sup>n</sup>, 530, 566-9  
— William von, father of Otto 260f, 460  
Tübingen, University of 37, 397  
Tudeschi, Niccolò (Panormitanus), canonist 25f, 39, 94ff, 238<sup>n</sup>, 384<sup>n</sup>  
Tunis, Emperor's victory at 300  
Tunstall, Bishop of Durham, English envoy 203, 363  
Ubaldini, nuncio 283  
Udine, Leonard of, OP 142  
Ugolino 60  
Ugoni, Matthias, Bishop of Famagusta author of *De conciliis* (1532), *Synodia* 39, 68, 100, 110, 313<sup>n</sup>, 350<sup>n</sup>, 418<sup>n</sup>, 546<sup>n</sup>, 576<sup>n</sup>  
Ulrich, Duke of Württemberg 285  
Understorf, Ambrose of, Augustinian provost 490<sup>n</sup>  
Universities 34-8, 164<sup>n</sup>, 313<sup>n</sup>, 314, *see also* Alcalá; Basle; Cologne; Cracow; Erfurt; Frankfurt a/Oder; Freiburg; Heidelberg; Leipzig; Louvain; Orleans; Padua; Paris and the Sorbonne; Pavia; Poitiers; Saxony, Electorate of; Toulouse; Tübingen; Vienna; Wittenberg  
Upsala, Archbishop of 322, 575, *see also* Magnus, John; Magnus, Olaus  
Urban II 45  
— VI 78  
Urbino, Duke of 308f  
Ursins, Jovenel des, Archbishop of Rheims 54  
Usingen, Bartholomew, OESA 398

# INDEX

- Utenheim, Christoph von, Bishop of Basle 161
- Utrecht, Adrian of *see* Adrian VI
- Bishop of *see* Egmont, Georg von
- Uytendove, Jan, Vicar General of the Dutch Dominicans of Observance 141
- Vadian, Joachim 181*n*
- Valdés, Alfonso, Imperial secretary 236, 240, 251, 257, 365
- Juan 365
- Valencia, Archbishop of 470, 514*n*
- Valla, Lorenzo 156*f*
- Valle, Andrea, Cardinal 421*n*
- Valois, House of 264, 280, 342
- Vanga, Bishop of Trent 559
- Vargas, Francisco, jurist, Imperial envoy 513*n*, 565
- Vasto, Alfonso del, viceroy of the Emperor at Milan 343
- Marchese del 446
- Vatican, Council of 191
- Vega, Andrew de, OFM 558, 560
- Juan de, Imperial ambassador at Rome 481*n*, 491, 493*n*, 494, 504*n*, 506, 507*n*, 510*n*, 521*n*, 535*n*, 536*n*, 538*n*, 546*n*
- Vehe, Michael, OP 398
- Vehus, Doctor, Chancellor of Baden 193*n*, 202, 258, 260
- Velasco, jurist 513*n*
- Veltwyk, Imperial secretary 521*n*
- Venice, Doge of 327*n*, 332
- Patriarch of *see* Giustiniani, Lorenzo
- Venier, Venetian envoy 488*n*
- Veralló, Girolamo, nuncio 132*n*, 339, 411*n*, 448*n*, 454, 460*f*, 467, 471*f*, 475-8, 481*n*, 493*n*, 506, 507*n*, 517*n*, 523*n*, 525, 530, 531*n*, 535, 536*n*, 537, 542*n*, 543
- Verdun, Bishop of 21*n*, 558
- Vergerio, Pier Paolo, papal nuncio 190, 284*n*, 285, 289*n*, 291*f*, 293*n*, 294-9, 306, 308, 311, 317, 323, 328, 333, 334*n*, 336*n*, 341*n*, 359*n*, 397*n*, 411*n*, 432*n*, 529*n*, 545*n*, 562, 570, 572*n*
- Vermigli 447
- Vernazza, Ettore, of the oratory of Divine Love 146
- Verona, Bishop of 462, *see also* Giberti Gian Matteo
- Nicholas of 570
- Vesperiae* (Maître Jacques Dumoulin) 33
- Vespucci, Florentine envoy 58*n*
- Veyre, Pierre de 240
- Vicenza, Council of 355, 361, 410, 434, 445, 447, 455, 462, 463, 479
- Convocation of council at 576
- Zaccaria Ferreri of *see* Ferreri, Zaccaria
- Vich, Bishop of 128*n*
- Vida, Girolamo, poet 527, 538*n*
- Ottonello, Vergerio's secretary 336*n*
- Vienna, Bishop of *see* Nausea
- Concordat of 63
- University of 34, 36, 38, 178, 180
- delegate to Council of Constance (Peter von Pulka) 17
- Vienne, Council of 5, 7*f*, 10, 15
- Vigolo, Antonio da, city architect of Trent 563
- Villa, Francesco, agent 481*n*
- Villanueva, Thomas de 514*n*
- Vio, Thomas de, of Gaeta, OP *see* Cajetan
- Violi 411*n*
- Virvesius, Alphonsus Ruiz 400*n*
- Visconti Anna, wife of Francesco Sforzato 492*n*
- Viseto, Sebastian de 35
- Viseu, Bishop of *see* Silva, Miguel de
- Vita Christi* (Ludolph of Saxony) 144
- Vitellozzo, Cardinal 28*n*
- Viterbo, Egidio of *see* Canisio
- James of, author of *De regimine christiano* (1302) 8*n*
- Vitoria, Francisco de 42, 118*n*, 162, 287, 351, 400, 513*n*
- Vivaldino 473*n*
- Vives, Luis, envoy, humanist 57, 192, 193*n*, 207, 408*n*
- Volta, Gabriele della 174*n*
- Volterra, Andrea da, OESA 578*n*
- Raphael de 58*n*, 75*n*
- Vorst, Jacob van der, brother of Peter 316
- Peter van der, conciliar nuncio extraordinary for Netherlands and Scandinavian States 314-9, 322*ff*, 328, 335*n*, 408, 411, 423*n*
- Waldeck, Francis von, Bishop of Münster 322, 475
- Wallop, English envoy 305, 307*n*
- Walthart, Zwingli's son-in-law 385*n*
- Warham, Archbishop of Canterbury 161
- Watt, Melchior von 174*n*
- Wauchope, Robert, theologian, Imperial statesman, Archbishop of Armagh 377, 381*n*, 396*n*, 411, 452, 461, 520*n*, 544*n*, 575
- Wedego, Bishop of Havelberg 151
- Weeze, Johann von, Bishop of Constance, Archbishop of Lund 322, 364, 370*f*, 452
- Weiern, prelate of 490*n*
- Weiherstephan, prelate of 490*n*
- Weilheim, Johann von 43*n*
- Weingarten, Abbot of *see* Gerwig
- Weissbriach, Cardinal, Archbishop of Salzburg 84
- Weissenhorn, of Landshut, printer 401
- Werl, Henry of, OFM 35

# INDEX

- Wider die Bulle des Endchrists* (Luther) 181
- Widmann, chronicler 379n
- Wied, Hermann von, Archbishop of Cologne 297, 323, 364, 369, 452f, 492, 502
- Wild, Johann 405n
- William, Duke of Bavaria 294ff, 316, 451, 453
- Duke of Cleves 342, 506n, 507n
- Wimpfeling, Jacob, rector of University of Heidelberg 52f, 104, 162f
- Wimpina, Conrad, professor at University of Frankfurt 169, 179n, 394n, 397, 400
- Winchester, Bishop of 303n
- Windesheim, Congregation of *see* Stan-donck
- Wittelsbachs of the Palatinate, family 246, 294, 316, *see also* William, Duke of Bavaria; Louis of Bavaria; Ratis-bon, Administrator of
- Wittenberg, theological discussion at 306
- University of 166f, 178, 197n
- Witzel, George 190, 194n, 286, 346n, 361ff, 396n, 404n, 406
- Wolrab, of Leipzig, nephew of Cochlaeus, printer at Cologne 336, 394n
- Wolsey, Cardinal 150, 180, 203n, 230, 241
- Worcester, Bishop of 520n, *see also* Pate, Richard
- Worms, Bishop of *see* Cracow, Matthew of; Erhard
- Diet of (1521) 187, 199-204, 211, 226f, 245, 248, 250, 256, 275, 378
- Worms, Diet of (1545) 500n, 506f, 512, 514-21, 524, 526f, 529n, 535
- Edict of 196, 204f, 210, 215f, 247f, 251ff, 262, 276, 373
- Wotton, English ambassador 493
- Württemberg, Duke of 318, *see also* Eberhard; Ulrich
- Würzburg, Bishop of 104, 317, *see also* Bibra, Konrad von; Limburg, Schenk von; Scherenberg, Rudolph von; Thüngen, Konrad von
- jurists of 178
- Ximenes *see* Cisneros, Ximenes de
- Zabarella, Cardinal, canonist 16, 26, 28n, 39, 78, 94f, 98
- Zaccaria, Antonio Maria, physician, founder of the Barnabites 147
- Zamometič, Andrew, Archbishop of Krania 38, 47, 60, 67n, 73, 75, 100-07
- Zanettini, Dionisio (Grechetto), Bishop of Melopotamos 341n, 482, 570n
- Zapolya, John 293f
- Zara, Archbishop of 556
- Zasius, Ulrich, jurist 188
- Zeno, Cardinal, nephew of Paul II 68, 87
- Ziegler, Jakob, Imperial secretary 195n, 204n, 282n
- Zoch, jurist 212
- Zollern, Frederick von, Bishop of Augs-burg 151
- Zorilla, Alphonsus 541n, 542n, 579
- Zwingli, Ulrich 188n, 193n, 362, 374, 385, 396, 400, 402f, 580

A HISTORY OF  
THE  
COUNCIL  
OF  
TRENT

JEDIN

Volume  
Two

NELSON

A  
HISTORY  
OF  
THE  
COUNCIL  
OF  
TRENT

Volume Two

HUBERT JEDIN

*Translated by*  
DOM ERNEST GRAF O.S.B.



This second volume of the translation of the *Geschichte des Konzils von Trient* begins with the first sessions of the Council at Trent and ends with the translation of the Council to Bologna in 1547. Chief among the discussions during this period were the debates on dogma—on Scripture and Tradition, Original Sin, Justification and Grace—and on reform—the clergy's duty of residence in diocese and parish.

As in the first volume Professor Jedin's aim has been to describe the events in Trent as they actually occurred and to delineate the kind of picture of the past which took shape in his mind as a result of the study of the sources. His account is based on the principal sources brought together in the *Concilium Tridentinum* of the Görres-Gesellschaft, supplemented and completed by information obtained through personal research in various archives.

Dom Ernest Graf has translated this volume into most readable English and has maintained the clarity with which Professor Jedin sets out the Catholic and Protestant positions.

The eight half-tone illustrations include Durer's sketch of Trent and the Council in Session attributed to Titian.

# A History of the Council of Trent

## Volume II



HUBERT JEDIN



# A History of the Council of Trent

*Translated from the German*

*by*

DOM ERNEST GRAF O.S.B.



VOLUME II

The First Sessions at Trent

1545-47

Thomas Nelson and Sons Ltd

London Edinburgh Paris Melbourne Toronto and New York

*Imprimatur:*  
✠ GORDONIUS JOSEPH  
*Archiepiscopus Sancti Andreae et Edimburgiensis*  
7<sup>o</sup> Julii 1958

This is the authorised translation of  
Hubert Jedin  
Geschichte des Konzils von Trient, Band II  
Verlag Herder  
Freiburg im Breisgau  
1957

Original German edition  
© Herder & Co GmbH. Freiburg im Breisgau 1957  
English Translation  
© Thomas Nelson & Sons Ltd. Edinburgh 1961

*First published in English 1961*

THOMAS NELSON AND SONS LTD  
Parkside Works Edinburgh 9  
36 Park Street London W1  
312 Flinders Street Melbourne C1  
302-304 Barclays Bank Building  
Commissioner and Kruis Streets  
Johannesburg

THOMAS NELSON AND SONS (CANADA) LTD  
91-93 Wellington Street West Toronto 1

THOMAS NELSON AND SONS  
18 East 41st Street New York 17

SOCIÉTÉ FRANÇAISE D'ÉDITIONS NELSON  
97 rue Monge Paris 5

## Translator's Note

It may be useful to explain briefly some of the technical terms which occur again and again in these pages. The term "congregation" designates a gathering, or a sitting, of the whole, or of a section of the Council. A "general congregation" is a gathering of all the members of the assembly, including those not entitled to a vote. A "particular congregation" consisted of a group chosen from among the members. It was in these congregations that the problems, for the solution of which the Council had been convened, were thrashed out. A *Sessio*, or Session, on the other hand, was a solemn liturgical function, with a High Mass and a sermon by one of the more distinguished members of the assembly, not necessarily a bishop. It was at this solemn gathering that the decrees elaborated in the congregations, were read out and voted upon. This was done not by the dropping of a white or black ball into a box, but by the word *placet* or *non placet* being written on a ballot paper—*scheda*. At times permission was given to add some remarks to the signature, but they had to be in the handwriting of the voter. The *schedae* were then collected and counted by the *collectores*.

The term *votum*, or vote, has yet another meaning, one that might be rendered by our "counsel's opinion". A vote, in this sense, could be a lengthy document. Thus when we are told that Seripando, for instance, read his "vote", or that the text of the "vote" of this or that bishop has been preserved, there is question of a paper, or an essay, on the subject under discussion and read in a congregation, whether general or particular. No vote, in this sense, was read at the Session. That solemn gathering was exclusively for the purpose of promulgating the conclusions arrived at in the congregations by means of the "votes" (*vota*) of its members.



# Contents

Author's Preface	1-3
------------------	-----

## Book Three

### *The First Decisions : From the Opening to the Translation to Bologna*

Sarpi's Three Questions	7-12
-------------------------	------

I A Difficult Beginning	13-51
-------------------------	-------

General congregation (18 December 1545) 15-17—External Order 17-18—Right to a vote and the question of the proctors 18-21—Conciliar officials and title of the decrees 22-3—*Sessio* II (7 January 1546) 24-7—Crypto-Lutherans at the Council? 28—Majority in favour of precedence of the discussion of reform 29—Parallel discussion of dogma and reform decided 30—The Pope rejects the compromise 31—Conciliar letters to princes kept back 36—*Sessio* III (4 February 1546) 39-40—Dissatisfaction with the course of the Council 41-2—The Roman cardinals' commission for affairs of the Council 42-3—Position and characteristics of the three legates 44—Del Monte the head, Cervini the heart of the Council 46-8—Secondary reporters 50-1

II Scripture and Tradition	52-98
----------------------------	-------

Three classes set up 53-5—The canon of Scripture 55-7—The principle of Tradition and traditions 57-9—The first congregation of theologians (20 February 1546) 59-62—Nacchianti's criticism of the proposals 64-6—Criticism of the procedure 66-7—The problem of Bible translations 67-9—Report of the commission on abuses in connection with the Bible 70-2—Prohibition of the Vernacular Bible? 72—Draft (22 March 1546) on the canon and the principle of Tradition 73-5—Need of a revision of the Vulgate 76—Massarelli secretary of the Council 79-80—14 *Dubia* about the draft of the decree (22 March 1546) 81-2—Further discussion of the Vernacular Bible and the revision of the Vulgate 84—The authority of Scripture and Tradition equal, or similar? 87—No widening of the Vulgate decree 89—*Sessio* IV (8 April 1546) 90-2—Postponement of the declaration of contumacy 93—Rome's criticism of the Vulgate decree 94-6—Plan for a revision 97-8

III New Ways of Proclaiming the Faith : Biblical Studies and Preaching	99-124
--	--------

Antecedents of the problem 99-102—Humanistic motives 104—The April debate (1546) 105-07—Inclusion of the duty of residence? 110—The stormy general congregation of 10 May 1546 111-13—The legates insist on their right of making proposals 115—Sharpening of the difference between the bishops and the mendicant Orders 116-17—Collision between humanism and scholasticism 118—Seripando's defence of the privileges of the Orders 120-2—Decree on Biblical lectures and preaching 122-4



## CONTENTS

IV	A Definitive Programme for the Council. The Decree on Original Sin	125-165
	Two possible roads towards a programme 125—The Pope leaves Church reform to the Council 129—The Curia's general line on the question of reform 130—Opening of the debate on original sin (24 May 1546) 132-4—The theological congregation's <i>summarium</i> 135—Imperial opposition to the debate on original sin 137—Pacheco proposes the definition of the Immaculate Conception 139-40—Opening of the general debate on original sin (31 May 1546) 142-4—Is concupiscence, after baptism, sinful? 144—Seripando's vote (5 June 1546) 146-8—Form I of the decree on original sin 150-1—Criticism of the draft of the decree 151-3—First debate on residence (9 and 10 June 1546) 153—Form II of the decree on original sin 154—Francisco de Toledo demands a postponement of the Session 160— <i>Sessio</i> V (17 June 1546) 160—Objection to a declaration of contumacy 164	
V	The Opening of the Debate on Justification	166-196
	Preliminary work of Catholic controversial theology 168—Seven complex questions 169-71—The question of procedure 173-4—Congregations of theologians (22-28 June 1546) 175-8—Influence of theological schools 178-9—Infiltration of Lutheran ideas? 180—Arrival of the French conciliar ambassadors 182-4—The general debate 184-6—Justification by faith and merit according to Seripando 187-9—Five "dissidents" 189—The case of the Bishop of Cava 190-3—Form I of the decree on justification 193-6	
VI	The Outbreak of the War of Schmalkalden and the First Plan for the Translation of the Council	197-238
	The second religious conference of Ratisbon 198-201—The Emperor's negotiations with Philip of Hesse 202—Treaty with Maurice of Saxony 204—Death of Martin Luther 207—The Protestants' rejection of the Council 208—Assassination of Juan Diaz 212-13—The legates' work for a translation to Bologna 214—Alarming reports from the theatre of war 217—Passage of the papal troops 219—Collision between Del Monte and the imperial cardinals 220-1—Postponement of the Session 223—The "storm" of 30 July 1546 strengthens the design for a translation 226—The Pope empowers the legates to transfer the Council 228—Postponement of the translation, a disappointment for the legates 230—Resumption of the debate on justification (August 1546) 234—Reluctance of the bishops to return to Trent 235—Discontent in the city 237	
VII	The September Draft of the Decree on Justification and the Plan for a Suspension	239-282
	Origin of the September draft 239-41—The theologians' report on the draft 244-5—General congregations (1-12 October 1546) 245-8—Two questions for the conciliar divines 249-52—Certainty of salvation 252—A twofold justice 253—Arguments for and against the <i>duplex iustitia</i> 255-8—The formula new, the problem old 258—Recasting of the September draft 259—The Pope adjourns the plan for a translation 261—Opposition to the completion of the decree on justification 264-7—The legates' plan for a suspension 268—Church reform in Rome, not at Trent 269—A suspension with the assent of the Emperor? 272	

## CONTENTS

- Mendoza proposes a consultation of the universities 274
- November agreement between Farnese and Mendoza 276-7
- Pole relinquishes his office of a conciliar legate 279—Mendoza also leaves Trent 280

### VIII Completion of the Decree on Justification in the Sixth Session 283-316

Three changes in the November draft 283-5—General debate (9 November-1 December 1546) 286—Seripando's and Costacciaro's proposals in respect of the two questions 287-90—Final stage of the debate 291—Vote on nine suggested improvements 292—The bishops-theologians discuss the final difficulties 293—Termination of the controversy on the certainty of the state of grace 297—The November agreement not ratified 298-300—Fixing of the date of the Session 301-03—The Pope should prevent publication of the decree 304—*Sessio* VI (13 January 1547) 304—Content of the decree on justification 307—Intent of the doctrinal chapters 310—Feeble, not uniform reaction 312—No official printing 314-16

### IX The Bishops' Obligation of Residence—The Pivot of Church Reform 317-369

Causes of its neglect 317-20—Suggestions and attempts to enforce it 320-2—First debate (9 and 10 June 1546) 323—Is residence a direct divine ordinance? 326—The bishops' memorials on impediments 328-30—Three examples: the Bishops of Alba, Clermont, Calahorra 330-3—Del Monte seeks the "small solution"—supplemented by a reform Bull 334—Sharp differences in the January debate 336—Decree draft (7 January 1547) 338-42—Recast by the committee of canonists 342—Result of vote in *Sessio* VI not unanimous 343-5—Controversy over formula *universalem ecclesiam repraesentans* 346—Continuation of the debate on residence in the committee of canonists 348-50—The eleven articles on reform (3 February 1547) 351—General debate on new proposals 351-5—Aim of the reform: the raising of the pastoral ministry 356—The Pope defines his attitude 357—Wider reform proposals (20 February 1547) 358-62—A verbal exchange over the Bishop of Fiesole 362-4—The climate of the discussions improved 375—The reform decree of *Sessio* VII 366—Reaction of the German cathedral chapters 368

### X The Nature and Septenary Number of the Sacraments. Baptism and Confirmation (*Sessio* VII) 370-395

The list of errors of 17 January 1547 370-1—Nine congregations of theologians 375—Unity in the delimitation, divergence in the theological explanations 376—General debate (8-21 February) 379—Doctrinal instruction on delimitating canons? 380-1—Sacramental practice 385—Debate on the 30 canons (1 March 1547) 386—Comparison with the Decree for the Armenians 387-91—*Sessio* VII (3 March 1547) 391-3—"Everything is different" 394

### XI The Translation to Bologna 396-443

The situation in Germany 396-9—Henry VIII and the Council 400—France's undecided attitude 401—Worsening mood at the imperial court 403—The Emperor's grievances against the Pope 405—Francisco de Toledo is sent to Rome 407—

## CONTENTS

Rome's distrust of Charles V 411-13—Nomination of peace-legates 413—Who took the initiative for a translation? 416—Outbreak of typhus at Trent 417—Death of the Bishop of Capaccio 420—General congregation (9 March 1547) 421—Counter-measures by the imperialists 422—Debate on the translation (10 March 1547) 426—The translation decided in *Sessio VIII* 430—Rejected by the imperialist party 431-3—The majority quit Trent 434—Examination of the event 437—Secret directives from Rome? 438—"This is the work of the Cardinal of Santa Croce" 441

### XII Liturgical and Spiritual Life. Expenditure and how it was covered 444-481

Conciliar functions in the course of the liturgical year 444—Extraordinary functions 445-52—Conciliar sermons 452—A layman in the conciliar pulpit 453—Accusations against conciliar preachers 455-7—The Church as pictured in their sermons 459—Need of reform from within the Church 460—Judgment of Protestantism 462-4—Social occasions and housing conditions 464-6—Humanistic studies and conferences 467—Christian humanism 470-3—Libraries at Trent 473—Assistance of poor prelates 476—Fees of officials; expenditure on postage 479-81

### XIII The Balance of Power within the Council and the Leadership 482-495

Composition of the personnel of the Council 482-4—Freedom of speech and vote; formation of parties 485-7—Strategy and tactics of the legates 488—Active influence of the secular powers 490—Procedure and its results 492

### XIV Introduction to the Sources and to the Earlier Literature 496-522

The original protocols 497—Fair copies of the conciliar acts and the protocols of the discussions 499—The plan to print them not carried out 501—Massarelli's *Diarium I, II and III* 503—His work and character 505-09—Limits of his reports and their credibility 509—Severoli and his *Diarium* 510—Seripando's conciliar remains 512—Laurentius Pratanus's *Epilogue* 513—The legates' correspondence and other letters 515-17—Sarpi's bias; his credibility 518—Pallavicino's *apologia* 521—The 19th century 521

### Bibliography and Abbreviations 523-533

### List of Archives and Manuscripts 534

### Chronological Table 535-539

### Index 541-562

## List of Plates

1. Girolamo Seripando	<i>facing page</i>	116
2. Marcello Cervini, later Pope Marcellus II	„	132
3. Reginald Pole	„	212
4. The Council of Trent in Session	„	228
5. View of Trent	„	308
6. Girolamo Fracastoro	„	324
7. Giovanni Maria del Monte, later Pope Julius III	„	420
8. Diego de Mendoza	„	436



## Author's Preface

THE publication of the second volume of the History of the Council of Trent has been delayed much longer than I had foreseen. My appointment to the Chair of Medieval and Modern Church History at the University of Bonn in 1949, a variety of academic tasks, the direction of the society responsible for the publication of *Corpus Catholicorum*, and finally, indifferent health, have all contributed to the slowing down of my work. Above all I felt that for a task for which a thorough mastery of the subject-matter and attention to a number of correlated events were an essential prerequisite, uninterrupted time was an indispensable condition. Such leisure could only be secured on rare occasions and with great difficulty during the academic terms. It was, therefore, a great advantage for the progress of the work when the "Kultusminister" of Nordrhein-Westfalen released me from my professorial duties during the summer term of 1955 ; in fact this occurrence was of decisive importance, for it enabled me to work without interruption on chapters IV-VIII, from March to September of that year. To the minister, and to the Rector of the Redemptorists' seminary at Geistingen an der Sieg, the Rev. Fr Albert Fries, whose hospitality I enjoyed during those months, my sincere thanks are due.

In the impatient enquiry : "When will the second volume appear?", which I had to listen to a hundred times, I could at times detect a slight doubt whether, besides external difficulties, there were not also intrinsic ones, viz. difficulties inherent in the subject itself, which were the cause of the delay, if not even of the actual abandonment of the entire undertaking. These doubts did not appear altogether groundless. The Weimar edition of Luther's works—now completed—and the publication of Bucer's works which has begun, as well as the small edition of the works of Melanchthon which is making good progress, together with the excellent jubilee edition of the Confessions of the Lutheran Churches, give to the Catholic theologian of today a far deeper insight into the religious and theological mentality of the reformers than was possible for the theologians and the Fathers of the Council of Trent.

More than one problem has undergone a profound change, or is at least seen in a different light from that in which the sixteenth-century

## AUTHOR'S PREFACE

theologians viewed it. The notion of Tradition, the meaning of "solâ" in the formulas *solâ fide* and *solâ gratiâ*, Luther's conception of the sacraments, of the Church, and his attitude to Canon Law, as well as the conception of the Church in the last period of the Middle Ages—all these theological problems, which were at the very heart of the religious cleavage, have been the subject in recent years of numerous and, at times, searching investigations. The Luther "Renaissance" initiated by Holl, has been followed by a Zwingli "Renaissance" and the rise of "reformed" theology. Hence more than at any previous time, the writing of the history of the Tridentine dogmatic definitions is a bold undertaking.

However, I have never shrunk from the task I had set myself. This task was to describe, as well as I was able, and to the extent that I could grasp them, the events of Trent as they actually occurred. My account is based on the principal sources brought together in *C.T. (Concilium Tridentinum)* of the Görres-Gesellschaft, supplemented and completed by such information as I was able to obtain through personal research in various archives. Problems as they appear today may indeed open one's eyes in the interpretation of the sources, but must not be allowed to tempt one to propose solutions based on a different system and so to intervene in controversies still pending. This self-imposed restraint, which I observed in the first volume, though found fault with by a highly esteemed critic (*Theol. Revue*, XLVII (1951), pp. 159-70), I have also adopted in the present volume, because it conforms to my conception of the duty of a historian of the Church (*Trierer theol. Zeitschrift*, LXI (1952), pp. 65-78). And so this volume also is written for no specific purpose, whether of a general character or such as belongs to the sphere of controversial theology, beyond that of delineating or fixing the kind of picture of the past which has taken shape in my mind as a result of a study of the sources. Whether this time also I have "confined myself to the role of an advocate", and "my judgments are those of an uninhibited papalist", as the only critic who declined my general interpretation of events in VOL. I would have it (*Hist. Zeitschrift*, CLXXIV (1952), pp. 589-97), unprejudiced readers must decide for themselves. Of the practicability of the historical-sociological method, which he recommended me to use, I am willing to be persuaded as soon as it has been tried out on some important point of Church history.

According to the original plan of the entire work, VOL. II should have gone as far as the year 1552. However, the publication of VOL. VII of *C.T.*, which contains the conciliar acts of the years 1551-2, has been

#### AUTHOR'S PREFACE

delayed by the illness and the death of its editor, my friend Joachim Birkner (d. 30 January 1956). These acts are indispensable for an account of the second period of the Council. This circumstance led me, with the approval of the firm of Herder, to publish separately the story of the first period, up to the translation to Bologna, since by reason of its content that story constitutes a distinct and clearly rounded-off unit. Its description as VOL. II, instead of Part I of VOL. II, is solely due to bibliographical considerations. The general plan of the work is in no way affected by this designation and no widening of the compass originally agreed upon is contemplated. The footnotes are more compressed than in VOL. I, but I have endeavoured to facilitate the control of all statements made by me by indicating sources (in the case of *C.T.* I give, as a rule, the volume, the page and the line). In revising the work I have had the assistance of Fr Joseph Barbel, C.S.S.R. of Geistingen, and that of my pupil, Magnus Ditsche. The former, as well as Dr Oscar Köhler of Freiburg, I have to thank for several valuable suggestions. The index of names was compiled by Hans Hauptst. To the admirable care and vigilance of the publishers the volume owes its preservation from many an inaccuracy. Other mistakes, perhaps considerable ones, may have escaped me. As for these I say to the reader: *veniam concede placatus*.

Bonn  
8 May 1957

HUBERT JEDIN





# Book Three

The First Decisions :  
From the Opening to the  
Translation to Bologna



## Sarpi's Three Questions

ON the first page of his *Istoria del Concilio Tridentino*, Paolo Sarpi, the first historian of the Council of Trent, sets down three questions: "How did it come about", he asks, "that the Council which men had longed for and promoted as a means for restoring the crumbling unity of the Church, actually consolidated the cleavage and so embittered the parties as to render a reconciliation impossible? How was it possible that the princes' plan to reform the clergy by its instrumentality, was frustrated, and that the bishops' attempt to recover their authority, which had largely devolved on the Pope, not only ended in the complete forfeiture of that authority, but that they themselves contributed to their enslavement? Lastly, what is the explanation of the fact that the Council, dreaded and shunned by the Roman Curia, which saw in it the most effective means by which its supremacy could be curtailed, so consolidated and secured that supremacy—at least in that part of the Church which had remained faithful—as to enable it to strike even deeper roots than ever before?"

With these questions Sarpi forestalls the answers which his *Istoria* was supposed to supply. He was convinced that at the time of the assembly of the Council the schism was still in the opening stages. In his opinion it was not the reformers' teaching, long ago condemned by the Popes, nor their confessions and their organised ecclesiastical communities, but the dogmatic definitions of the Council of Trent that slammed the door which might have led to reunion. In his view, there was no schism previous to the Council of Trent.

While in his first statement Sarpi makes the Protestants' judgment his own, his second statement ultimately derives from his notion of the Church: the much vaunted Tridentine reform never took place at all! What goes by that name was the opposite of a reform, it was a deformation, the worst since the beginning of the Church. How was so crushing a judgment arrived at? The answer is that it rests on two prejudices. The secular arm, in whose service the Venetian State-divine had wielded his sharp pen during the great conflict with Paul V, and which had protected him after its settlement, had not succeeded in using the Council for the purpose of effecting the kind of reform of the clergy

which, in Sarpi's opinion, would alone have guaranteed a lasting improvement, namely a reform on State-Church lines. The secular arm failed to secure the rights of supervision and correction claimed by Gallicanism and which the French State arrogated to itself. These rights Sarpi had endeavoured to secure for Venice. But the second prejudice weighed even more heavily in Sarpi's estimation. Episcopatism, from which he hoped for a genuine reform of the Church, just as the conciliarists of the fifteenth century had expected it from the execution of the decrees of Constance, had not prevailed at Trent; on the contrary, the Council had left the Pope's supremacy intact and left its own guidance and the execution of its decrees in his hands. The Tridentine decrees about Church reform and their subsequent execution—the work of St Charles Borromeo, of Popes Pius, Gregory and Sixtus—he made nothing of because not only had Erastianism and episcopatism not triumphed at Trent, but the Papacy had made of the Tridentine decrees the palladium of the Catholic reform as well as of the counter-reformation. By this means it had won for itself fresh influence and renewed prestige. But even so the strange fact remained, and Sarpi could not contest it, that the alleged failure of the reform had not impeded the rise of the sorely pressed Papacy, so that by the turn of the year 1600 it was held in higher esteem by the various nations, and was more respected by the States, than a century earlier, in an as yet undivided Church.

For all that Sarpi's three questions are genuine questions for the historian of the Council of Trent and we are bound to consider them. It is for this reason that we were compelled to follow up the struggle for the Council from 1520 to 1545 at every turn of its tortuous course, so as to show that the course of the schism was no longer in an early stage, as Sarpi thought, but that it had already made considerable progress. The issue of the Ratisbon negotiations for reunion had brought that fact to light. On the other hand the process was not yet terminated. Why did the Emperor Charles V refuse to reconcile himself to the schism as an accomplished fact? Surely for the sole reason that he attached greater importance to its political aspects than we are on the whole inclined to do. It is easy to say that he overestimated them. It was this view of the situation that inspired the great plan first to break the political and military power of the League of Schmalkalden by force of arms and after that to get the German Protestants to attend the Council. If the plan succeeded there was a possibility that the schism, even if it could not be completely healed, might at least be confined within narrower

boundaries, provided, of course, that Pope and Emperor continued to act in full agreement. Paul III would not have allied himself with the Emperor if, from the first, he had judged the plan to be quite impossible of execution. But certain influential circles in Rome were firmly convinced that Germany could not be saved for the Roman Church, so that it was more important to concentrate all available forces on the preservation of those peoples and territories that had retained the Catholic faith. These the Council must provide with an unequivocal rule of faith and an effective Church reform—consideration of Germany was only of secondary importance. This stand-point was probably most clearly and most decisively advocated by Cardinal Cervini, but it was not and could not be the only one as long as there remained the least glimmer of a hope of reunion. But this hope too was tinged with fear. What direction would the Council take should the Protestants put in an appearance at Trent and thus add strength to the opposition that was to be expected from the nations beyond the Alps? Opinions fluctuated between fear and hope, but the main problem, namely what would be the issue of a discussion with the Protestants at Trent, was perforce an open question for the man who had to assume responsibility for his actions before History. The question was not only whether there would be such a discussion, but the manner in which it would be conducted constituted an even greater problem. To begin with the widely-held opinion that the “modern” errors were all of them ancient ones, long ago refuted by the Church’s teaching and the earlier Councils, would prevail. In that case all that needed doing was to reaffirm and renew previous conciliar decisions without engaging in detailed discussions. In any case a detailed catalogue of these errors must be drawn up. Such catalogues had actually been compiled some years before by the universities of Paris and Louvain (VOL. I, p. 406). Should the Council make them the basis of its programme? But if it should appear later on that the previous decisions of the teaching Authority were not adequate and failed to touch the substance of the new errors, by what means was the Protestant teaching to be accurately stated? Could it be done by means of extracts from their confessions, or from the writings of the reformers, as was done at Constance against Wyclif and Hus? Or would it suffice to have the decisive points extracted by theological experts and so pass judgment? Who would be capable of drawing up summaries of this kind? Then there remained the big question whether only the teaching of the reformers should be condemned, or their persons as well.

The Bull of Convocation *Laetare Jerusalem* had described the decision of the religious controversies and the reform of the Church as the two main tasks of the Council; but there was no directive about the order in which these two tasks were to be carried out; even the legates were without information, in fact they had no instructions about the shape of the conciliar programme. But what is most amazing is that they had not taken advantage of the lengthy waiting-period before the opening of the Council to draw up at least the general lines of such a programme. So far we have not met with one, and it will be seen that none was in existence.

The blame lay not with the legates alone. They were still in doubt whether the Pope was willing to let the Council deal with the sensitive nerve of Church reform, that is, the reform of the Curia, either wholly or partially, or whether, as Cervini had consistently advocated, he would create a *fait accompli* by proceeding, at the last moment, with the reforms initiated in the year 1537. If he failed to undertake this preventive reform, there was no doubt that the bishops, particularly those of the nations beyond the Alps, would demand the inclusion of the reform of the Curia in the conciliar programme. Moreover, it was beyond question that an overwhelming majority of the bishops present, the Italians included, would insist on a strengthening of their ordinary authority in their dioceses. The proceedings at the fifth Lateran Council and the negotiations with the bishops resident at the Curia, in the years 1540-1, had shown which way the wind was blowing. On that occasion they had gained very little, but now their chances were greatly improved. No one could tell with any certainty whether their demands would not lead them into the tracks of episcopatism, or even those of conciliar theory.

The story of the antecedents of the convocation has shown that misgivings of this kind had had a retarding effect. Was there a foundation for them? Did the episcopal tendencies that had appeared in the fifteenth century, or the conciliarism of the last period of the great schism and that of the Council of Basle, still possess any vital energy? The answer to this question depended on the strength of German and Spanish representation at the Council and whether the universities still actuated by conciliar theory—above all the Sorbonne—succeeded in gaining influence over the Council to which, in fact, they had not been invited in their corporate capacity. Above all no one knew as yet whether the French Crown would carry out its covenanted promise to participate in the Council, not merely in a formal fashion,

by the despatch of envoys, but, as was right and proper, by sending a number of bishops. Only two French bishops had been present at the opening Session and no envoy of the King.

Fears of this kind compelled the Pope and his legates at Trent to regard as the supreme maxim of their tactics in the negotiations the necessity to keep clear, under all circumstances, of the controversy about the question of authority as between Pope and Council. However, granted the possibility of avoiding a theoretical dispute of this kind, were not the practical problems of a reform bound to lead to a discussion of the division of powers between Pope and Council? As a matter of fact what was the extent of the legates' power to direct the Council? Did it include authority to set up the conciliar programme on their own authority as well as the exclusive right to draw up an agenda? If it was to function, the Council must have a body of officials. Should these be elected by the Council, or should they be named by the legates? On this point the fifth Lateran Council could not serve as a model, were it only because it was held in Rome and under the personal presidency of the Pope.

This selection of unsolved questions sufficiently shows the historic possibilities that existed at the beginning of the Council; yet we have not as yet mentioned the fact that it was likewise a nerve centre of high politics. A political event, the Peace of Crépy, had brought about its convocation while the alliance between Pope and Emperor had divided the roles. The Council was not solely an autonomous ecclesiastical act, it was also an element, in fact an essential element, of a comprehensive political plan for the purpose of restoring to the Church her unity and to the Empire its statehood. Was it not to be expected that the Emperor would do his utmost, was indeed bound to do his utmost, to direct the assembly along the lines of his own wishes so as to make sure that it would not create any *faits accomplis* in the sphere of dogma before the conclusion of the war, which would enable German bishops to attend the Council. Means to influence the assembly he possessed in plenty. There was his ambassador, Diego de Mendoza; there were the bishops of his hereditary States—Spain, Naples, the Low Countries. Moreover, the Council was being held in the territory of a prince of the Empire who had taken over the external protection of the assembly, whose freedom of action could be considerably hemmed in from this quarter. Trent as the meeting-place of the Council had been a grudging concession to the Emperor on the part of Paul III. The desire to translate the Council into Italy had not been given up—it was merely put off. In virtue of



his presidency of the assembly, which he exercised through his legates, the Pope could translate the Council or suspend it. Behind the political activities of the Emperor, and those of his diplomatic representatives and partisans at Trent, there was always a secret fear of precisely such a change in the status of the Council.

As yet even the oecumenical aspect of the Council was not assured in every respect. The number of bishops present at the opening was exceedingly modest: they were less than thirty. Would it be possible to raise it, and above all to induce bishops of foreign nations to repair to Trent in sufficient numbers so as to insure a truly oecumenical participation? The conciliar attempt of Vicenza and the first convocation to Trent had ended in failure owing to an inadequate attendance of prelates. Recognition of the last Lateran Council met with hesitations because the nations beyond the Alps had played an exceedingly small part in it.

It was not without reason that the Popes had long hesitated to convoke the Council. Even now that it had been opened its future course was not only wrapped in the mists of the future; the issue of "the Iliad of our time", in Sarpi's significant phrase, was as yet uncertain.

## A Difficult Beginning

IN spite of the prolonged waiting-period, the opening of the Council on 13 December 1545 came as a surprise both for its members and for the exponents of high politics. As late as mid-December no credence was given to the rumour at the imperial court, and when news of the opening did come, it was received with some annoyance because the Curia had failed to give official notice of the order for its inauguration. The imperial agent Marquina who had passed through Trent on 17 December was the bearer of a communication for Verallo and Dandino, the nuncios accredited to Charles V, ordering them to give the monarch an official account of what had happened.<sup>1</sup> However, the imperial ministers' doubts about the assembly's ability to set to work, or their will to do so, continued as before. In their eyes the opening was no more than a political gesture for the purpose of justifying the Pope before God and the world.

At the French court this scepticism was matched by an ill-disguised unwillingness to make a positive contribution, by the despatch of French bishops, to the success of the great imperial and papal enterprise against the German Protestants. When the Emperor complained of the recall of the handful of French prelates who had arrived at Trent and of the non-arrival of the rest, he was given an ambiguous answer which, practically, meant nothing at all. In point of fact the Peace of Crépy and the understanding on the Council which it had initiated, were put in jeopardy by the death of the Dauphin. There was haggling over the return of Savoy and fresh, though probably not seriously-meant matrimonial projects, were likewise mooted. England continued at war with France. No longer was she in the position of the forsaken confederate of yesterday; on the contrary, she now found herself in that of a courted third party between the two opponents of the morrow.

<sup>1</sup> Dandino's report of 18 December 1545, *N.B.* I, VOL. VIII, pp. 501, 503; *ibid.*, p. 515, Dandino and Verallo on 7 January 1546; *ibid.*, p. 541, Dandino's observation on the opening of the Council in his report of 20 January, "a iuditio de molti sarà di pocco altro frutto che di havere iustificata Sua Santità appresso Dio et il mondo". On the Emperor's negotiations with France, see Dandino's and Verallo's report of 17 December 1545, *ibid.*, p. 493.

Even the alliance between Pope and Emperor, which in the summer of 1545 was apparently assured, was in reality no nearer a final settlement. Marquina had been kept waiting for an answer for nearly two months in Rome. Only at the beginning of February did the Emperor, who was suffering from an attack of the gout, dismiss Dandino, the nuncio extraordinary who then set out on his return journey by way of France. The Emperor's confessor, Pedro Soto, had assured him in the strictest confidence that Charles's resolve to go to war against the Protestants remained unshaken, but he was also aware that King Ferdinand and the ministers, above all the two Granvellas, as well as Figueroa and Idiáquez were full of misgivings about so risky an undertaking. They accused the Curia, more particularly the cardinal-nephew, Alessandro Farnese, of not having kept the secret of the alliance between Pope and Emperor, with the result that the confederates of Schmalkalden were already making military preparations, and that by this indiscretion the element of surprise, which was so important for success, had been lost. On his part the Pope was annoyed by the Emperor's unwillingness to meet him on questions of ecclesiastical administration, as, for instance, on the levy of a tenth in the Kingdom of Naples. Dandino, who favoured France, did his best to deepen Paul III's growing distrust of the Emperor.<sup>1</sup>

Not only the peace between the two paramount Powers which had made possible the convocation of the Council, but the alliance between Pope and Emperor, which constituted a prerequisite for its opening, seemed to be compromised. However, this state of political suspense at the turn of the year was an advantage for the Council: it allowed it, almost without its being influenced by political events or considerations, to take the first, if only preparatory, steps on the long road towards the realisation of its programme. It was a difficult and laborious start. It took a long time to get the technical machinery of the Council functioning, but already decisions fraught with important consequences were being taken. To appraise them we must not shrink from the somewhat wearisome task of following up the slow-dragging process of the negotiations of the first two months.

<sup>1</sup> As late as 5 January Dandino writes, *N.B.* 1, VOL. VIII, p. 521: "Non posso non star grandemente dubioso di quello a che finalmente Sua Maestà si risolverà da dovero." Soto's information, on which Dandino reported on 7 January, *ibid.*, pp. 516 ff., did not completely dispose of this suspicion. The accusation, on the imperial side, that Farnese was to blame for the secret of the great plan having come to the knowledge of the Lutherans, *ibid.*, pp. 513, 558, was described by the latter as "busie expresse", *ibid.*, p. 573.

The general congregation of 18 December, like all those that followed, was held in the hall of the Palazzo Girolodi (Prato, at a later date), hence in the residence of the president. The latter submitted to the Council seventeen points, one part of which concerned the external order, the other the drawing-up of a programme for its labours. One reads these items not without a certain amount of astonishment: they are concerned with seating arrangements and business procedure; the liturgical functions and sermons; the measures to be taken for the security of the assembly; the fixing of the price of commodities; the juridical competence of its members; the appointment of conciliar officials; a conciliar fund for their payment as well as for the support of needy members of the Council. Lastly, and before all else, a programme for the discussions must be drawn up since a new Session was announced for 7 January 1546. One asks oneself instinctively: Had the legates and the members of the Council given no thought to all these things during the nine months they were kept waiting? The fact is neither order of business nor programme for the discussions was available so that the Council itself was obliged to draw them up. This was an advantage for its freedom of movement but a definite disadvantage for its progress, for it soon became apparent how widely opinions diverged on certain points. Two of the bishops, namely the Bishop of Belcastro and Holding, the auxiliary of Mainz, came out with a proposal that the conciliar body should be completed by the addition of learned theologians. Everybody knew that they needed such a collaboration, the only question was whether these men should have a seat and a vote in the Council, as at the Council of Basle. The Bishop of Ivrea moved—and the Council saw the necessity of the step—that the debate should be deferred until the next general congregation.

The assembly, small in number and still struggling for its authority was bound to feel gratified when the Portuguese Dominican Hieronymus ab Oleastro submitted two letters of King John III addressed to the Pope and to the Council, announcing the arrival of several bishops and of an envoy to the Council. However, he was not admitted as an envoy with diplomatic rank since he possessed no letters accrediting him in that capacity. The answer to the royal communication was likewise left to the next general congregation.

This first general congregation<sup>1</sup> was therefore no more than a modest beginning, a cautious approach to the tasks that were to come. But

<sup>1</sup> The proposals for the general congregation of 18 December 1545, which Massarelli subsequently arranged under seventeen headings, *C.T.*, VOL. I, pp. 354 f.; IV, pp. 533 ff.,

even now a difficulty arose. Two French bishops, namely those of Aix and Agde, on the ground of instructions from their sovereign, moved the suspension of all further discussion pending the arrival of bishops and envoys from France, otherwise they would refrain from voting; in other words, they would offer passive resistance. The legates pointed out at once that the present discussions were of a purely preparatory character. However, as the two bishops insisted, it became necessary to defer a decision on this question also to the next meeting.

It was natural to suspect that the proposal—like the Bishop of Clermont's departure before the opening Session—was an obstructive manœuvre instigated by the French government. This suspicion grew when, on the following day, both prelates handed in their proposal in writing. The legates communicated the document to the assembled bishops on 20 December, in the sacristy of the cathedral, after the Sunday liturgical service. As was to be expected, the suggestion was sharply rejected by the imperialists, though the majority declared themselves in favour of the only appropriate action, namely that light on the motives of the proposal should be sought by requesting those who had made it to produce the royal mandate to that effect. They had to admit that they had no such document; the assembly must believe them to be the interpreters of the King's intentions. This information sufficed to defeat so transparent a manœuvre. The Council's answer to the French prelates, in the general congregation of 22 December, was no less elastic and non-committal than the latter's proposal. The Council, it said, would always take note of the wishes of the Most Christian King, in so far as God, reason and honour permitted, but it prayed and exhorted him to send his envoys to Trent as soon as possible, and to urge the bishops of his realm to participate in the Council. The conciliar exhortation, as was to be expected, achieved nothing whatever: the attitude of Francis remained what it had been, non-committal. At the same time as he used his bishops in order to obstruct the progress of

comprised twenty points for Seripando, *C.T.*, VOL. II, p. 410, because the latter reckoned the concluding observations as so many points. For the order of the day of the general congregation the legates' report of 14 December, *C.T.*, VOL. X, pp. 275-8, is more important than that of 19 and 20 December, which only treats of the political question, viz. the French proposals. The actual course of the general congregation is best described by Severoli, *C.T.*, VOL. I, pp. 6-8; proposals of the legates; Del Monte's self-defence; the French proposals; reception of the Portuguese. Although the term *proposuerunt* is used in the acts, *C.T.*, VOL. IV, p. 534, l. 31 (cf. also VOL. I, pp. 430, l. 36; 469, l. 15), the expression does not necessarily imply a formal proposal of the question of "dogma—reform". The best sources—Severoli, the legates' report, Massarelli's *Diarium I*, are silent on the subject. If the question came up at all, it can only have been incidentally, in connection with points 16 and 17.

the discussions at Trent, while he himself kept carefully in the background, he reproached the Council with its inactivity. His boast to Nuncio Alessandro Guidiccioni that he would send no less than twenty-five bishops to the Council was not taken seriously by anyone.<sup>1</sup>

The reproach that negotiations at Trent proceeded only slowly, indeed very slowly, was of course not without foundation. Neither the presidents nor the members had any experience in the technique of conciliar debate. The general congregation of 22 December, which was to have settled the order of the Council and drawn up the programme of the discussions, turned out a complete failure. A number of the Fathers had put down their ideas in writing and read their votes to a bored audience, while others spoke without notes, but in so helpless not to say childish a fashion that the general of the Augustinians, Seripando, a man usually extremely reserved in his judgments, betrays a feeling of shame when he uses the terms "irresolution, ignorance, incredible stupidity" in his diary. It was impossible to ascertain the Council's attitude towards the questions that had been broached. Lest they should break up without at least one tangible result the legates finally proposed the formation of a commission, to be renewed monthly, for the purpose of preparing the discussions. They designated four Italians, viz. the Bishops of Ivrea, La Cava, and Feltre, and Pighino, the auditor of the Rota. No protest came from the assembly, but its silence did not mean assent. The four accordingly deemed it prudent to decline, so as not to annoy the Spaniards and the French. This experience taught the legates a lesson. They realised that in future, when there was question of forming committees, they must allow a wider share to the assembly and take their national composition into account.<sup>2</sup>

It was only after the Christmas holidays, in the general congregation of 29 December, that at least a part of the still unsolved questions about the order of the Council was settled. The external protection and the security of the assembly were entrusted to the Prince-Bishop of Trent.

<sup>1</sup> Extract of Guidiccioni's report of 8 January 1546, *C.T.*, VOL. X, p. 297, *n.* 2. The fullest account of the discussion of the French proposal in the cathedral sacristy, on 20 December, is by Severoli, *C.T.*, VOL. I, p. 8.

<sup>2</sup> General congregation of 22 December 1545: Severoli, *C.T.*, VOL. I, pp. 8 f.; Massarelli, *Diarium I*, *C.T.*, VOL. I, pp. 358 f. and the acts, *C.T.*, VOL. IV, pp. 537 f.; the legates' report, *C.T.*, VOL. X, pp. 288 f., with Seripando's observations, *C.T.*, VOL. II, pp. 410 f. Tommaso Campeggio whose vote is the only one that has been preserved, *C.T.*, VOL. IV, pp. 538 f., justly observed that the demand that the prelates should produce the royal commission was not prompted by distrust. Even the legates had submitted their credentials to the Council and precedents could be adduced from the practice of the Councils of Constance and Ferrara.

The latter, to make sure that he had at his disposal a body of troops that could be called upon at any time, levied German halberdiers to act as his personal guards, while in the interest of public security the carrying of arms was strictly forbidden to all outsiders. The *custos* of the Council appointed by him appeared only on solemn occasions, hence his duties were mainly honorary ones. In the first Sessions they were carried out by Count Sigismund Arco, while in the fifth Session the Neapolitan Baron Gianbattista Caracciolo is mentioned as his substitute. The real holder of the office was probably even then Madruzzo's brother Niccolò, a colonel in the imperial army. The praetor of Trent was recognised as the competent judicial authority for the persons composing the suites of the members, to whom, in view of the ecclesiastical status of some of the familiars, the auditor of the Rota, Pighino, was adjoined. Everything connected with accommodation and the regulation of prices was the papal conciliar commissary's responsibility. The creation of a conciliar fund did not materialise for a good while. The sum of 2000 scudi which had been handed to the legates in July 1545, to enable them to assist needy bishops and divines and for current expenses, was exhausted and only on 31 January 1546 did the Roman courier bring another 2000 scudi. This sum was to be a reserve fund the administration of which was committed to Cervini's treasurer, Antonio Manelli, who acted as conciliar trustee. In July 1546 there came yet another 1000 scudi, after which the rivulet, thin as it was, dried up completely so that the legates were compelled to raise a loan with the nuncio in Venice. It was only at the beginning of 1547 that Rome decided to feed the reserve fund by regular monthly remittances of 500 scudi to a Venetian bank, so as to prevent, to some extent, the recurrent low ebb of the conciliar finances.<sup>1</sup> The master of ceremonies, Pompeo de' Spiriti, was charged with the regulation of religious functions. In this matter Pompeo conformed to the calendar and the practice of the papal chapel.

The question of the right to vote was less easily settled. Were the generals of the mendicants and the abbots to enjoy the same rights as the

<sup>1</sup> Information on the financial administration of the Council is furnished by the account-book of the depositary, Manelli (G. Calenzio, *Doc. ined.*, Rome, 1874, pp. 1-50), and the legates' correspondence with the Curia and the nuncio in Venice, G. della Casa; cf. H. Jedin, "Die Kosten des Konzils von Trient unter Paul III", *Münchener Theol. Zeitschrift*, IV (1953), pp. 119-32. The extracts from the Vatican account-book published by Ehses (*C.T.*, vol. V, pp. lxvii ff.) which I overlooked, confirm my surmise (p. 131) that the higher officials of the Council—the auditor, the advocates and the promoter—received higher pay than the bishops who were in receipt of assistance, namely 40-60 scudi a month. For further information on the sum of ready money and the conciliar chest see below CH. IX.

bishops? Rome was firmly resolved to prevent an extension of the right to vote on the model of the reform Councils of the fifteenth century, but the Curia was equally anxious to have the generals of the Orders of mendicants—those papal guardsmen—accepted as full members of the Council while the abbots, who were expressly mentioned in the Bull of Convocation, were not to be completely excluded. On the other hand the bishops jealously sought to preserve their privileges and to raise the prestige of their state which had sunk to a very low level. It was scarcely possible to deny full rights to the generals of the five mendicant Orders, of which nearly all the theologians present were members, since it was evident that without their co-operation the Council would not be able to do its work in the sphere of dogma. Even the recollection of the early Councils, which had been exclusively episcopal synods, failed to cause a change in the practice that had obtained since the opening Session. Though no formal resolution had been passed, the general congregation of 29 December acted on the understanding that the generals were entitled to a decisive vote.<sup>1</sup> However, the latter were in the habit of abstaining from voting as often as there was question of specifically episcopal affairs, and in particular when there was question of corrective action against bishops.

The abbots' right to a vote met with stronger opposition. True, there was express mention of them in the Bull of Convocation, but Pacheco very properly observed that if a number of them were to put in an appearance, they would be in a position to change the character of the Council by sheer weight of numbers and to influence its decision in a one-sided direction. This danger was averted by the compromise which Del Monte suggested at the next general congregation. Though three mitred abbots were present, and might therefore have claimed the right to vote for their own persons, they were only granted a collective vote, as the representatives of their congregations. This ruling, which at first was to have been provisional, eventually became the established practice.

Far more arduous was the problem of the right of voting of the

<sup>1</sup> Here the acts of the general congregation of 5 December 1545, *C.T.*, VOL. IV, pp. 540 f., must be corrected by the statements of Severoli, *C.T.*, VOL. I, pp. 10 f. and Massarelli's *Diarium I*, *ibid.*, p. 471. The legates' report, *C.T.*, VOL. X, pp. 293 f. For the abstention from voting by the generals of Orders on specifically episcopal questions see *C.T.*, VOL. V, pp. 216, 356.—True, even in mid-March, Lejay still considered their right to a vote as undecided, *M.H.S.J.*, *Epp. Broetii, Jaji*, etc. (Madrid 1903), p. 302; also Pratanus (Prée), *C.T.*, VOL. II, p. 387, l. 36. On the occasion of the vote on residence in *Sessio VI*, Del Monte did not at first count their votes with those of the other Fathers of the Council, see below CH. IX.



proctors of absent bishops.<sup>1</sup> With a view to furthering attendance at the Council, as well as in order to prevent the rise of plural voting and the metamorphosis of the Council into a gathering of proctors, the Pope, soon after the convocation, by the Bull *Decet nos* of 17 April 1545, had restricted the role of the proctors of bishops not personally present to the presentation of the prelates' excuses for their non-appearance and forbidden any kind of transference of their right to vote. However, after the proctors of the Archbishop of Mainz, Necrosius and Kauf, had left Trent in high dudgeon, the brief *Dudum* of 5 December 1545, made an exception in favour of the German bishops, but the execution of the brief was left to the discretion of the legates who were thereby placed in a difficult situation. When they suggested the brief, they were thinking of discretionary powers authorising them to admit the proctors present at the Council from Session to Session, consideration being had of their persons and the circumstances. The brief, however, gave the German proctors the right to admission. Once this fact became generally known it was to be expected that, regardless of the peculiar situation in Germany, other nations would demand a similar privilege, with the result that the Bull *Decet nos* would be practically invalidated. For this reason the legates kept the brief secret. For the general congregation of 29 December they accordingly decided, apparently without consulting the Council, that the two proctors of Cardinal Otto of Augsburg, Wolfgang Andrew Rhem, canon and provost of St Moritz, and the Jesuit Claude Lejay (Jajus) were not to be granted a decisive vote but merely a consultative one. The Pope subsequently approved a decision which was fraught with very heavy consequences; it would ultimately favour the freedom of the Council, his nephew was told to inform Trent, by eliminating plural voting. But one consequence—one that had hardly been foreseen—was that the bishops of the Empire, who in any case did not favour the Council, neither put in a personal appearance at Trent, nor were they prepared to run into expense by the despatch and maintenance of proctors since the only role assigned to the latter was that of supers. Only the Archbishop of Trier, Johann Ludwig von Hagen, had been represented since 14 May 1546 by the Dominican Ambrosius Pelargus. That the conduct of the legates, however much

<sup>1</sup> With regard to the brief *Dudum*, on the admission of the German proctors see *C.T.*, VOL. IV, pp. 443 f. Farnese's directives of 30 November and 7 December, *C.T.*, VOL. X, pp. 261, 268, must be noted; the legates' misgivings, *ibid.*, p. 277, ll. 26 ff.; the Pope's attitude on 31 December, *ibid.*, pp. 290, ll. 6 ff.; 292, ll. 17 ff.; powers of the Augsburg proctors, *C.T.*, VOL. IV, p. 440; those of the proctors of Trier, *C.T.*, VOL. V, pp. 142 f.

it may be open to criticism, was not due to any anti-German bias, appears from a parallel decision, namely that the theologian Domínguez Soto, the proctor of the general of the Dominicans, though admitted to the congregations, was not to be given the full right to vote.

In the opinion of the members the circle of those entitled to a vote was thus staked off, at least provisionally; actually the settlement was destined to be permanent. It only remained to make arrangements for the seating of the members. At the conclusion of the general congregation of 29 December, on a motion of the legates, the Council appointed its first commission. The three senior active bishops, namely those of Ivrea, La Cava and Feltre, were requested to ascertain the date of promotion of the bishops and to submit proposals to the *plenum* about the places to be allocated to the envoys, and about the line to be taken in the admission of clerics not entitled to vote as well as that of laymen. At the general congregation of 4 January 1546, the prelates occupied for the first time the seats allotted to them by the commission. In the Session of 7 January, also in accordance with the proposal of the commission, the envoys were assigned places between the cardinals and the bishops. Each general of an Order was allowed to bring two theologians. The admission of native noblemen was left to Madruzzo. In order to make a clear distinction between those entitled to vote and those who were mere witnesses, it was laid down that the latter must remain standing during the Sessions since, unlike the bishops, they exercised no judicial function.

In the course of the debate on the agenda on 29 December, the policy of the legates had been to put off a decision on this controverted question for as long as possible, not only in order to gain time, but also in the hope that a solution would emerge from practical experience. There were not wanting signs that though there was as yet no compact opposition party, there nevertheless existed a distrust, more latent than overt, of the intentions of the Curia and the legates, as well as a desire to assert the authority of the Council and the bishops present at it. In the general congregation of 4 January 1546 these aspirations became a concrete demand—it was episcopalism's first move.<sup>1</sup>

<sup>1</sup> K. D. Schmidt, *Studien*, pp. 54 ff., and myself, though somewhat differently (*Seripando*, VOL. I, p. 412, Eng. edn. pp. 252 f.) have attempted to reconstruct the stormy five-hours' general congregation of 4 January. The best chronology of events is in Seripando's diary, *C.T.*, VOL. II, pp. 412 ff., to be compared with Severoli's statements, *C.T.*, VOL. I, pp. 12-16, the legates' report, *C.T.*, VOL. X, pp. 297-300 and that of the anonymous Franciscan, *ibid.*, pp. 302 ff. It can scarcely be questioned that consultation of the Pope was mentioned as reported by Prée, *C.T.*, VOL. II, p. 378, l. 8 and by Anonymous, *C.T.*, VOL. X, p. 303, l. 15.

The Session arranged for 7 January was at hand: it was imperative that the members should make up their minds as to what was to be done at it. However, before the assembly passed to the order of the day, the president made some communications from a letter of Cardinal Farnese, dated 31 December, which had just come to hand. The first point, and the most important for the future, was to the effect that the Council, in keeping with the terms of the Bull of Convocation, must begin by dealing with the dogmatic questions, but in such wise that only the errors of the reformers would be condemned, not their persons, so as not to cut off the possibility that they themselves might expound their teaching before the Council. It is remarkable that the first and most weighty directive, that is, the priority of dogma over reform, was not taken up by the assembly; it only became the central point of the debate towards the end of January. The second, no less important directive conformed to the Emperor's great plan, as appears from the arguments on which it is based, namely, first war against the Protestants, then the Council; as a matter of fact it remained operative throughout the Council—not one canon mentions the name or condemns the person of a reformer.

The Pope also held out a prospect that he would put the required officials at the Council's disposal. As a suitable secretary he singled out the humanist and poet Marcantonio Flaminio, if the latter was willing to accept the office. Achille de' Grassi and Ugo Buoncompagni were given the posts of advocate and abbreviator respectively. A suitable protonotary had not yet been found. But now there arose opposition to the appointment of officials by the Pope. This was the affair of the Council, it was said. Del Monte reacted most skilfully. By sending experienced officials, he argued, the Pope wished to help the Council in the execution of its task, not to do it violence; the Council would decide whether or not to accept these officials. But when at the conclusion of his explanations the president, annoyed by certain expressions used by the protagonists of the autonomy of the Council, added that it was a mistake to imagine that with the opening of the Council the Pope's authority had undergone a diminution—not only was it not diminished but, on the contrary, it was increased—the Bishop of Astorga rose and declared: "We too know the limits of our authority. The Council enjoys full power to decide in its own affairs; in all that happens outside the Council the Pope's authority is in no way restricted." This declaration presaged a struggle.

By the time the draft of the decree which was to be published in the

January Session came to be read, the atmosphere had grown tense. Its canonistic phraseology pointed to none other than the president as its author. However, it was not its contents—a rule of life for the members of the Council—that drew a protest from the Bishop of Fiesole, Braccio Martelli, who was the first to give his vote, but the wording of the opening sentence. His complaint was that it did not describe the Council as representing the universal Church (*universalem ecclesiam repraesentans*) as had been done at previous Councils. As a matter of fact the formula, of the omission of which Martelli complained, stood at the head of the famous decree *Sacrosancta* of Constance which, after the flight of Pope John XXIII, had proclaimed the Council's superiority over the Pope. In spite of the small attendance at the moment, the present Council represented the universal Church no less than the Councils of Constance and Basle. What was surprising and disquieting for the legates was the circumstance that Martelli's was no isolated protest but that it received the support of nearly all the bishops that spoke after him. Was the conciliarism of Basle about to come to life once more? Or was Martelli no more than the mouthpiece of one mightier than he?

Fears of this kind were excessive. On the matter itself there could be no serious difference of opinion. An oecumenical Council, legitimately convoked, inaugurated by papal legates and presided over by them, was the representative of the whole Church. However, the recollection of Constance and Basle, and the support given to Martelli by the majority, alarmed Del Monte to such an extent that he let escape the inconsiderate remark that the Pope must first be consulted on the proposed addition. Feeling was running high and the observation was not calculated to calm it. The sound arguments that could be adduced not indeed against the formula itself, but against its opportuneness, only gained ground by slow degrees. Del Monte pointed out—and the facts lent him full support—that the formula was only used at Constance after John XXIII's flight had put the settlement of the schism in jeopardy; the Council of Basle—that *conciliabulum*—could not be invoked as an authoritative precedent for the present gathering. He too did not deny that it represented the universal Church, but was it advisable, in view of its actual composition, when less than three dozen bishops were present, to use so pretentious a formula which could only call forth the hostility and derision of their opponents? By this discrimination between the justification of the formula and its expediency, the president was only returning the ball that Seripando, the

general of the Augustinians, had thrown to him. Other objections equally worthy of consideration had been adduced by the general of the Servites Bonuccio and by the auditor Pighino. The former observed that the formula, and in fact the very notion of representation, was foreign to the ancient Councils—a remark borne out by history. The latter pointed out that the term “oecumenical” included the notion of representation of the universal Church. When finally Cardinal Madruzzo described the formula as inopportune, its advocates gave way but a minority of at least eight bishops insisted on the representation formula being inserted in the decrees of the Council as soon as attendance at it should have increased. The decree was taken as passed; the road for the Session was open.

The material picture which the second Session of 7 January 1546<sup>1</sup>

<sup>1</sup> *Sessio* II of 7 January 1546 was at first described as *Sessio* I (e.g. in Massarelli's *Diarium I*, C.T., VOL. I, p. 367, l. 19, in the so-called original protocol, Vat. Arch. *Concilio* 62, C.T., VOL. IV, p. 547, and in the edition printed in Paris in 1546, Kuttner, *Decreta*, p. xxiv), because the opening Session was not counted as the first. In the final edition of the acts Massarelli introduced the reckoning in use ever since. In addition to the acts, C.T., VOL. IV, pp. 547, 564, with the text of the legates' exhortation and the sermon, Severoli, C.T., VOL. I, pp. 16 ff., who assisted in the capacity of promoter, must also be considered, as well as Massarelli's somewhat jejune account, *ibid.*, pp. 367 f., but above all the legates' report of 9 January, which shows more clearly than the acts which participants were seated and were accordingly regarded as having juridical rights (ambassadors) and which had to stand, and were regarded as mere witnesses. The number of prelates is given as twenty-nine, while Severoli and the acts mention four archbishops and twenty-six bishops—thirty in all.—The preacher, Coriolano Martirano, a native of Cosenza and Bishop of San Marco in Calabria, 1530-57 (Eubel, III, p. 234), was one of the four prelates chosen by the Viceroy of Naples as proctors for the bishops of the kingdom. His brother was “segretario del regno” (according to information by P. Recupito to Alciati, 14 April 1625, Arch. of the Gregor. Univ. 616, fol. 46<sup>r</sup>). He had been at Trent since 1 June 1545, C.T., VOL. I, p. 198, l. 15, and except for two brief interruptions after 21 June 1546, *ibid.*, p. 555, l. 32, and at the end of December 1546, C.T., VOL. X, p. 773, l. 30, he remained there up to the translation. On 13 August he pronounced *luculentam orationem* against the Fathers' eagerness to get away from Trent, C.T., VOL. V, pp. 406 ff.; VOL. I, p. 567, l. 18. On 10 August Juan Páez de Castro describes him as “*bene doctus graece et latine*, aunque no tiene mucha otra erudición” (Dormer, *Progresos*, p. 462). He was regarded as a good stylist and for that reason was commissioned to draw up the conciliar letters to princes which, in the end, were never despatched, C.T., VOL. I, p. 384, l. 23. His reputation as an orator is proved by the fact that he was chosen to preach not only at the second Session but likewise at the seventh, and that he pronounced the Latin discourse at the service of thanksgiving for the birth of Don Carlos, 6 August 1545, C.T., VOL. I, p. 231, l. 39. What most impressed an anonymous reporter of the sermon at *Sessio* VII was his self-accusation: “seipsum et caeteros qui ecclesiis praesunt autorem horum malorum confessus est”, C.T., VOL. X, p. 303, n. 9; *ibid.*, the pious wish of another anonymous Franciscan: “Beato il concilio se la gustasse.” It was inevitable that a confession which so vividly recalled Adrian VI's instructions for the Diet of Nuremberg would shock some people but the “leggieresse” which had come to Farnese's ears at the end of January 1546, C.T., VOL. X, p. 323, l. 26, must have been remarks made by the bishop at a general congregation of which there is

presented to the spectator differed very little from that of the opening Session. The number of bishops had risen by five. Below them sat, now admitted to full membership, the three Benedictine abbots and the five generals of the mendicant Orders. The envoys' bench was very sparsely occupied. Next to the two representatives of King Ferdinand I sat the proctor of Cardinal Otto of Augsburg who on this occasion was treated as a Prince of the Empire, but no similar treatment was meted out to the two Portuguese Dominicans who had come to Trent with the ambassadors of their King. They drew attention to their special status by remaining seated, like the Fathers of the Council who were entitled to vote, whereas the rest of the theologians and canonists—forty-three of them—remained on their feet throughout the Session.

At the conclusion of the Mass of the Holy Ghost, celebrated by the Bishop of Castellamare, the humanist Coriolano Martirano, Bishop of San Marco in Calabria, that day's preacher, began by revelling in a lurid picture of the decay of morals at this time; by contrast the humility, poverty and charity of the primitive Church stood out as an all the more splendid ideal. He was not altogether wrong when he exclaimed: "We have supplied the dissidents (he called them deserters) with weapons with which to attack us", or when he observed that, in consequence of their apostasy, the Church had been reduced to the size of a small field (*agellus*), or when he uttered a warning against hidden enemies. The Council was a harbour which Peter's barque, though threatened with shipwreck, had succeeded in making, but it would only be safe if the crew did its duty while in harbour. "The eyes of the whole world are upon you; holy Church, Christ's bride, clings to your knees; comfort ye God's people, plant anew, build up, pull down!" "Blessed is the Council", wrote one of the witnesses, "if it takes this appeal to heart!"

Less pathos, but for that very reason far greater persuasiveness, characterised the exhortation to the Council which Cardinal Pole had been commissioned by the legates to draw up, and which was read by Angelo Massarelli, who acted as secretary. Deliberately eschewing the tricks of humanistic rhetoric, it owed all its inspiration to the Sacred Scriptures and was a masterpiece both in form and matter. In view of

no record. Not long after this the legates spoke of him as "di bona natura" and as having returned to the right path, *ibid.*, pp. 333, l. 33; 334, l. 13. He belonged to the moderate wing of the imperial group; Grechetto's accusation, *ibid.*, p. 587, n. 2, overshot the mark (*see below*, CH. XIII).

recent tensions it was highly significant that it did not in any way differentiate between the leaders of the Council and those who composed the assembly but held up the mirror of self-examination before all of them without excepting anyone. Every one of them is made to stand before the judgment-seat of God, is forced to confess his guilt and is reminded of the example set by Jesus Christ. By Pole's mouth the Council speaks as Adrian VI spoke at the Diet of Nuremberg: "We ourselves are largely responsible for the misfortune that has occurred—for the rise of heresy, the collapse of Christian morality, because we have failed to cultivate the field that was entrusted to us. We are like salt that has lost its savour. Unless we do penance God will not speak to us even as He refused to answer the Jews" (Ezech. xx, iff.). In the suffering servant Pole sees a prophetic figure of the Council—"Only if Christ is its peace will the Spirit of God be poured out upon it—only then will He Himself say to it: See here I am!"

Of an anxious fear lest this spontaneous confession might be misused there is no trace in Pole's exhortation. Seripando was deeply moved by what he describes in his diary as "a sincere, devout, Christian" confession. It was an expression of the deepest sense of responsibility and of a determination to stake one's all for a cause. Words can be deeds—such were these words.

By comparison with this event the rest of the Session was of no great significance. The Bishop of Castellamare read two documents which properly belonged to the opening Session, namely the above-mentioned Bull *Decet nos* concerning the proctors, and the brief of 4 December 1545 ordering the legates to open the Council, and finally the decree about the rule of life for the members of the Council which had given rise to controversy at the general congregation of 4 January but had eventually been accepted. This decree admonished the bishops and their associates to conduct themselves in a manner in keeping with the seriousness of their task, and to apply themselves to prayer and study. It ordained that on every Thursday the Mass of the Holy Ghost and the Litany (of the Saints) be said in the cathedral for the intentions of the Council and that all Fridays were to be days of fasting. When the auditor Pighino, assisted by the two notaries Claudius della Casa and Nicholas Driel, came to collect the votes, it was found that nine prelates, namely the Archbishops of Aix and Palermo and the Bishops of Fiesole, Capaccio, Castellamare, Lanciano, Belcastro, Badajoz and Astorga, had attached a condition to their *placet*, namely, provided the words *universalem ecclesiam repraesentans* were added to

the title. Castellamare's condition was "provided there is a discussion about it". The Bishop of Motula gave his assent for this time only. Thus the decree was accepted, but nearly a third of those entitled to a vote persisted in the demand for the wider title of the Council. The next Session was fixed for 4 February.

The legates took a very serious view of the opposition which had raised its head in the general congregation of 4 January and in the Session of the seventh of the same month. Cervini equipped himself for further discussion by an assiduous study of the acts of the ancient Councils as well as of those of the Council of Constance. By means of the historical material he had collected Massarelli succeeded in persuading Cardinal Madruzzo, who on his own admission had been in sympathy with Martelli, as well as Pacheco, of the justice of the standpoint that had been adopted. The legates Cervini and Pole worked upon Badajoz and Astorga, but they were not won over, as Massarelli and Pacheco imagined. In order to meet the opposition the legates proposed in the general congregation of 13 January,<sup>1</sup> to insert in the decree already passed the words "oecumenical and general", and thereby to underline the authority of the Council. Though the proposal was accepted by a two-thirds majority, the two words are missing in the official text of the acts. If the opposition lost ground, it was due not so much to this concession as to the judicious representation of the Bishop of Astorga who, as a matter of fact, stressed once more the fact that the Council actually represented the universal Church. But he also pointed out that neither the written law, nor custom, nor existing circumstances, demanded the insertion of a clause to that effect in the text of the decrees. A remark by Seripando, that nothing prevented the use of the enlarged title of the Council in the future decrees, was another contribution to a calmer frame of mind. The die-hards—the Bishops of Fiesole, Capaccio and Badajoz, maintained their demand in the subsequent Session. Even so forbearing a nature as Cardinal Pole's regarded such obstinacy, especially that of the Bishop of Fiesole, as a display of peevishness.

Far more disquieting than these early stirrings of episcopalism was

<sup>1</sup> General congregation of 13 January 1546: Severoli, *C.T.*, VOL. I, pp. 18 ff.; acts, *C.T.*, VOL. IV, pp. 565 ff.; the legates' report, 14 January, *C.T.*, VOL. X, pp. 311 ff. The speeches of Pole and Seripando in the latter's diary, *C.T.*, VOL. II, pp. 421 ff.; Cervini's speech in Massarelli (fully), *C.T.*, VOL. I, pp. 374 ff.; see also pp. 368, l. 20; 370, l. 25; 371, l. 20 Madruzzo's revelations about the "Lutherans" at Trent. Clarus's statement of 13 January (State Arch. Florence, *Med.* 2966 fol. 122<sup>r</sup>) that nothing was added to the title of the decree, is therefore inaccurate.



a communication made by Madruzzo on 11 January through Massarelli. It was to the effect that it was rumoured that among the bishops at present at the Council there were seven or eight whose mentality was thoroughly Lutheran, not indeed in the sense that they championed Lutheran doctrines, but because they held erroneous conceptions of the primacy of the Pope, advocated the concession to the Protestants of Communion in both kinds and the marriage of priests, while they also claimed that the Council was not free. It further stated that a certain bishop acting as the spokesman of this group, and accompanied by several abbots, had called on Madruzzo and prayed him to forward a letter addressed to Melanchthon, in which the latter was requested to come to Trent where he would find many friends who hoped for a strengthening of their position from his presence.

Was there then a group of crypto-Lutherans at the Council? Massarelli's report might give the impression that there was such a party, but if read with care it becomes immediately evident that both Madruzzo and Massarelli, like so many of their Catholic contemporaries, took great liberties with the term "Lutheran". Actually there was question of the opposition group which, since the turn of the year, had been campaigning for the autonomy of the Council. The presence at Trent of the German Protestants, these men thought, not without reason, would strengthen their own position. They were prepared for concessions in their favour in the disciplinary sphere and Melanchthon, the spokesman of the Protestants at the colloquies, seemed to them the right partner for a discussion. There is therefore no need to look for names. As regards the abbots, we may presume that one of Madruzzo's visitors was probably the Benedictine Luciano degli Ottoni, Abbot of Pomposa, near Ferrara, whom we shall come to know as a typical exponent of Italian evangelism. Pier Paolo Vergerio, already suspect of heresy, only reached Trent on 22 January, impelled by a vain hope of securing his rehabilitation with the help of the Council. Cervini gave him a none-too-friendly reception and he was not acknowledged as a member of the Council.<sup>2</sup> As will appear later on, the German Protestants maintained a news service at Trent, but there is no evidence of direct contact with their leaders by any of the members of the Council.

<sup>2</sup> For Vergerio's appearance at Trent, to which we can only refer in passing, see *C.T.*, VOL. I, pp. 387 ff.; VOL. X, pp. 345 f., 408 f. Through the intervention of the legates Vergerio's examination was entrusted to the Patriarch of Venice, whose place was taken later on by the Patriarch of Aquileia. At the beginning of March Vergerio made another short stay at Trent. For full details see G. Buschbell, *Reformation und Inquisition in Italien um die Mitte des 16 Jahrhunderts* (Paderborn 1910), pp. 110 ff.

However, we can easily understand that Madruzzo's warning cast the shadow of a suspicion on Cervini's soul.

A whole month had gone by since the opening of the Council, yet the assembly was still without either a programme for its discussions or an orderly method of procedure for the execution of that programme. Accordingly, at the conclusion of the general congregation of 13 January, Del Monte required the Fathers of the Council to give thought to the order in which they were to carry out the three tasks which the Bull of Convocation set them—viz. a statement of Catholic dogma, reform of the Church, preparing the way for peace. The order of the day which was handed to the Fathers before the general congregation of 18 January included the further question whether the German Protestants should be invited once more, and whether the Council should give them time to arrive.

As for peace, the president declared at the very beginning of the general congregation of 18 January,<sup>1</sup> that the Pope would see to it, hence the only problem the Council had to settle was the sequence in which it intended to discuss dogma and reform. The course of the debate was determined by Madruzzo, who spoke first. They must begin with the abuses, he urged, because they had provided the pretext for the Lutheran teaching. The next speaker, Pacheco, agreed with Madruzzo but also proposed, obviously with a view to meeting the wishes of the legates, that before they dealt with the reform, a commission should be set up for the purpose of preparing the dogmatic decisions. The majority of the Fathers of the Council agreed with the two cardinals; only a few were bold enough to insist on priority being given to the discussion of dogma, among them Cornelio Musso, Bishop of Bitonto in Apulia, who did so for an excellent, but at the moment extremely awkward reason, namely that this was what the Pope wanted. It would have been an easy thing, in view of what had happened in Italy, to prove the urgent need of dogmatic definitions. A middle course was suggested by the Bishop of Feltre, Tommaso Campeggio. On the basis of the ceremonial of Augustinus Patritius and the procedure adopted at Basle, he proposed the formation of three deputations, namely for dogma, reform and peace. In this way the three subjects could be treated simultaneously. At the conclusion of the congregation

<sup>1</sup> General congregation of 18 January 1546: Severoli, *C.T.*, vol. I, pp. 20 f.; Massarelli's *Diarium I* and acts, *ibid.*, pp. 397 f.; vol. IV, pp. 567 f.; the legates' report of 19 January, vol. X, pp. 317 f. The legates' proposal only in Seripando, vol. II, p. 423, ll. 20-6.

no doubt was left that the great majority of the Fathers were in favour of priority being given to the discussion of reform.

It looked as if the scales would come decisively down in favour of this view when in the next general congregation on 22 January<sup>1</sup> Madruzzo read from manuscript a sharply-pointed speech in which he argued once more at length in favour of his opinion. His discourse can be summed up in one sentence: in accordance with the practice of the Apostles, it was the Council's duty first to do what was right, and then to teach. However, the president, who in his introductory remarks had once more urged the simultaneous discussion of dogma and reform, intervened in the course of the debate with a remark which was unmistakably meant not for the matter under discussion but for the person of the previous speaker. Church reform, he said, can begin at once, without loss of time and without previous discussion, with the spontaneous reform of the members of the Council! Del Monte declared his readiness to resign, in presence of the notary of the Council, the diocese of Pavia of which he was the administrator, together with all his other benefices. If the rest of the members of the Council would do likewise a beginning would have been made. On the other hand the general reform of the Church, which included not only the reform of the Roman Curia but also that of the princes and the laity generally, was not to be brought about in a hurry; it required careful consideration and much time. But it was in the interest of both parties, Catholics as well as Protestants, that a start should be made by clarifying the dogmatic questions.

The Council had followed this verbal skirmish with breathless attention. All eyes were fixed on Madruzzo, for it was common knowledge that in addition to the cardinalate he also held the two dioceses of Trent and Brixen. There was no escape for him—he needs must declare his readiness to give up one of his two bishoprics. There was but little persuasive force in Del Monte's gesture and the situation was

<sup>1</sup> General congregation of 22 January 1546: Severoli, *C.T.*, VOL. I, pp. 21-4; Massarelli's *Diarium I* and acts, *ibid.*, pp. 382 ff.; VOL. IV, pp. 569-72; Seripando, *C.T.*, VOL. II, pp. 424 f.; legates' report of 22 January, *ibid.*, VOL. X, pp. 326 ff. Ehses, *C.T.*, VOL. IV, p. 571, n. 4, has already observed that Massarelli's list of the opponents, *C.T.*, VOL. I, pp. 382 f., cannot refer to the general congregation of 22 January, not only because the number (13) does not agree with the above-mentioned remark of Severoli, "uno aut altero excepto", and even less with Seripando's "concordissime" and "nemine prorsus dissentiente", *C.T.*, VOL. II, pp. 424, ll. 10 and 29; for Musso the legates expressly state the opposite, *C.T.*, VOL. X, p. 333, l. 29. The group of four opponents of whom Cervini speaks on 23 January, *ibid.*, p. 329, l. 26, undoubtedly included the Bishops of Capaccio, Fiesole, and Chioggia; cf. also *ibid.*, p. 330, l. 19.

becoming painful when Cervini brought the debate back into the practical sphere. His main argument in favour of the priority of dogma was taken from history. The Councils of antiquity, he urged, for instance Chalcedon, had always given priority to the discussion of dogma. Pole's arguments were more effective. He reversed Madruzzo's theory: there could be no reform before the restoration of *religio*, that is, the spirit and practice of genuine religion. On the restoration of genuine piety depended that of morals and ecclesiastical discipline. True reform did not consist in a rich man distributing his wealth to the poor or a king wearing a hair shirt. The ecclesiastical state and vocation must be viewed in the light of religion as defined above. Towards the end of the debate the general of the Servites, Bonuccio, related Pole's observations to the problems of the origin of the religious division. On this occasion Bonuccio gave a first demonstration of his wide acquaintance with the writings of the reformers. In the opinion of the Protestants, he declared, the abuses in the Church (*mali mores*) were the consequence of bad teaching (*mala institutio*), connection between cause and effect being thus reversed.

The critical point of the debate was therefore overcome when Pacheco, speaking immediately after Pole, declared himself in favour of the president's original proposal, namely, that dogma and reform should be discussed simultaneously since in the long run these two themes could not be kept apart. It is certain that Pacheco's authority no less than the arguments of Cervini and Pole were the cause that the great majority (*uno aut altero excepto*) pronounced in favour of a parallel discussion. The promoters of the Council, Severoli and Pighino, were instructed to draft a decree to this effect.

The legates had secured what they wanted—though not without difficulty—and their report to Rome did not disguise their keen satisfaction. All the greater, therefore, was their consternation when on the morning of 26 January the Roman courier delivered a letter of Cardinal Farnese, addressed to the College of Legates, as well as a personal letter, in Farnese's own hand, for Cardinal Cervini, by which in cool terms their whole work was undone. The Pope rejected the simultaneous discussion, but above all, the priority of the reform. To give it priority would be to put the cart before the horse; priority must be given to the dogmatic deliberations. The Pope also found fault with the legates' inadequate reports. He complained that the names of the opponents in the debate on the title of the Council only came to his knowledge through information from another quarter. The legates

were merely the executive organs of the Pope's will, hence they were bound to await his directions both before they submitted proposals and before decisions were taken. Cervini, who owed the whole of his ecclesiastical career to the house of Farnese, was made to feel the papal displeasure more than the others. In a roundabout way he came to know that in Rome he was described as ungrateful and disloyal—that "he was being stoned".<sup>1</sup> It almost looked as if a confidence crisis were about to put a premature end to the conciliar legates' activities. Rumours were already current in Rome that new legates were about to be appointed, that is, that the College of Legates would be enlarged by the addition of new members.<sup>2</sup>

Del Monte and Cervini were firmly convinced of having acted in the best interests of the Papacy. They were determined not to give up what they considered their better grasp of the situation and to defend their conduct of affairs. For the moment they sought, by delaying the Session for about a fortnight, to gain sufficient time for another expression of opinion on the part of the Pope to reach them. Accordingly, in the general congregation of 26 January,<sup>3</sup> without reverting to the decision of 22 January, they sought the opinion of the Council on the still unsolved question of business procedure. The idea advocated by Madruzzo and Pacheco of forming deputations on the model of Basle, by means of which the parallel discussion of dogma and reform would have been easily realised, met with the support of no more than twelve Fathers; the majority, namely twenty-seven, fell in with the proposal of the Bishop of Feltre, that the Council should be divided into three "classes", each of them presided over by one of the legates, and from which commissions might be formed, should the need of them arise. In reality there was no great difference between the two proposals. The

<sup>1</sup> Farnese's letters of 21 and 22 January blaming the legates, *C.T.*, VOL. X, pp. 321-4, should be supplemented by Maffeo's letter of 27 January, *ibid.*, pp. 341 f., where in addition to the "piazze" the imperial ambassador Juan de Vega is named as one of the informants about the opponents.

<sup>2</sup> The rumour current in Rome that the Pope had a mind to appoint new legates is mentioned in a letter of Carlo Gualteruzzi to G. della Casa, 23 January 1546, Bibl. Ricci 6, fol. 148<sup>v</sup>, and in Pandolfini's report of 3 February 1546, State Arch. Florence, *Med.* 2966, fol. 142; but as early as 5 February Bianchetti writes to G. della Casa, Bibl. Ricci 5, fols. 137<sup>v</sup>-138<sup>r</sup>: "Santa Croce se ne cava la macchia et in somma ha fatto grandissimo acquisto quanto alla reputatione."

<sup>3</sup> General congregation of 26 January 1546: Severoli, *C.T.*, VOL. I, pp. 24 f.; Massarelli's *Diarium I*, *ibid.*, pp. 392 f. with the *cedula* of the legates' proposal; the acts, *C.T.*, VOL. IV, pp. 572 f. How little importance the legates attached to the drawing up of a programme by comparison with the political question, appears most clearly from the fact that Cervini mentions it only in passing in his letter of 28 January, *C.T.*, VOL. X, p. 336, l. 35.

division into classes was nothing else than the formation of the Council into three commissions and it only differed from Pacheco's plan in that the three classes were to treat the same subject. The possibility of delaying the Session was discussed in the general congregation, but no decision was reached.

The difficult task of justifying the legates' policy in the eyes of the Pope and, if possible, of winning him over to the compromise solution of 22 January, was undertaken by the man most sharply criticised—Cervini.<sup>1</sup> As became a papal legate, Cervini did not in any way question the Pope's right to issue directives. These he promised to obey faithfully in the time to come; but he made one condition, namely that questions from Trent would not be laid on one side for a fortnight in Rome, as had been done in the present instance, but that an answer would be sent by return of post, inasmuch as the constantly changing situation at the Council did not permit decisions to be long deferred. To tell the Council: "wait till we get an answer from Rome", was to undermine the legates' authority completely.

This frank expostulation prepared the ground for the defence of the legates' policy in the matter of the programme. "In the eyes of the Fathers of the Council," Cervini went on, "to put off the discussion of the reform would be equivalent to suppressing it; it would be a repetition of what had happened at the Councils of Pisa and Constance." The simultaneous discussion of dogma and reform was the utmost limit of what they had been able to obtain. On the other hand the fear that in the course of the negotiations about reform the Council would permit itself to meddle with the administration of the Curia—on the model of Basle—was without any foundation. With a view to allaying suspicions Cervini added: "A beginning should be made with the abuses in the administration of the sacraments, that is, begin in church and sacristy and from there go over to the 'house', that is, pass on to the reform of clergy and laity, the princes included." The reform of the Curia, he hinted, without openly saying so, need not appear among the agenda of the Council—provided the Pope himself took advantage of the time thus gained to forward it. This was the great concern which Cervini had never wearied of insisting upon in his letters to Rome since the summer of 1545.<sup>2</sup> The Pope, he urged, must take the initiative; he must

<sup>1</sup> Cervini's apology of 26 and 27 January 1546 in *C.T.*, VOL. X, pp. 332-7, must be supplemented by the legates' report of the same date, pp. 342 ff., and the historical retrospect in the legatine report of 2 February, pp. 354-7.

<sup>2</sup> At a time when the assembly of the Council seemed doubtful, Cervini wrote on 8 August 1545 to Farnese, *C.T.*, VOL. X, pp. 170 f., that a Reform Bull should be published,

reform the Curia before the Council takes a hand in that part of the reform. Precious time had elapsed and next to nothing had been done. Paul III's instructions to Cardinals Ardinghello and Crescenzo, to produce and to examine the reform decrees which had lain in their pigeon-holes since the beginning of the fifteen-forties, were little more than a gesture: they were not the strict order for their execution, as the Farnese represented them to be to the tiresome monitor at Trent, though one in the know, namely the private secretary Maffeo, declared that such an order was impending.

No less striking than the defence of the legates' policy in the matter of the programme was Cervini's exculpation from the charge of inadequate reporting. If in our reports we refrained from immediately mentioning the opponents by name, he explained, and only did so in our last letter, it was because we were anxious not to embitter those who differed from us, for we hoped to attract at least some of them to our side, and this hope was fulfilled. The Bishops of La Cava, Bitonto, San Marco and Motula have been won over; so have the Spaniards Lanciano and Castellamare; the number of the Italians in the opposite camp has shrunk to three, namely the Bishops of Fiesole, Chioggia and Capaccio, and all hope even of these has not vanished. Thus the result of the negotiations of the first week is by no means unfavourable to the Apostolic See; on the contrary, by wisely blending firmness with a readiness to make concessions, the legates have successfully defended the papal authority against rising conciliarist notions and preserved it from any curtailment, and this without creating the impression that there was a desire to avoid the reform. Madruzzo's offensive in favour of the priority of the reform discussions has collapsed pitifully. The legates are not discouraged, as people whisper to one another in Rome—they are masters of the situation. It is true that their authority is

implemented by effective reforms in Rome. He was even more insistent on 28 August, *ibid.*, p. 186, l. 15, this time on conscientious grounds: "per poter . . . render buon conto a Dio della sua administration." After the opening of the Council he returned to the charge on 19 December, *ibid.*, p. 283, l. 36: "A una chosa è hora da pensare per iudicio mio, a la reformatione de la corte Romana quale io vorria vedere che S. Stà facesse lei et non lassasse questa parte a la discretione del concilio." However, Farnese put off the matter on 31 December: the Council should first hear the bishops' grievances, he wrote, *ibid.*, p. 291, l. 41; the Pope also did not think a reform was urgent, *ibid.*, p. 316, l. 10. A little later, *ibid.*, p. 322, l. 36, Farnese speaks of Rome's readiness to observe conciliar reforms and he adds that the Pope had given orders that effect should be given to the reforms discussed four years earlier, *ibid.*, p. 323, l. 20. But these general promises made little impression on Cervini, as is shown by his fresh exhortation on 23 January 1546, *ibid.*, p. 329, l. 36: "a reformare con effetto la corte et il datario senza molto rumore".

chiefly due to a gift of leadership, not to any power to give orders. It rests on an ability to submit to the Council only such matters as meet with its agreement, or at least in the capacity for refuting objections that may be alleged. If the legates had insisted on the priority of dogma, the Council, suspecting a desire to circumvent reform, would have obstinately persisted in its demand and the priority of the reform discussion would undoubtedly have been decided, especially if "the wind from Germany", that is, an appropriate hint from the Emperor, had reinforced the demand. Was it not stated in the Recess of the last Diet of Worms that Church reform, for which preparations had been officially ordered to be made by means of a number of memorials, would be placed on the agenda of the next Diet if the Council had not taken the reform in hand in the meantime? If dogma was placed first and reform second, Martin Bucer would be found to have been right when he said that the Council would begin by condemning the leaders of Protestantism; after that it would disperse without anything having been done for a reform. In a word, it was essential to act independently in this question of the programme, that is, in opposition to the Roman directive. Should the Pope nevertheless disapprove the conduct of the legates and continue to insist on the priority of the dogmatic discussion, the only way out of the impasse would be for the legates to appeal to the Pope's directive to justify themselves in the eyes of the Council. The consequence will be that the latter will be decried as an opponent of the reform.

In their subsequent letters also the legates were at pains to represent the compromise that had been arrived at as acceptable and harmless. Among other things they mentioned the possibility of dealing with such abuses as were connected with the dogmas that were being discussed simultaneously. This was what actually happened at a later period.<sup>1</sup> Cervini also drew up the following prospective sequence of dogmatic discussions: Original sin, justification, the Church, the primacy of the Pope. But though he had thought of all these possibilities, Cervini's main concern was that the Pope should take advantage of the time gained

<sup>1</sup> At first Cervini wished to differentiate between the "reformatione della chiesa" (divine service, preaching, confessions, relations between the pastoral and the regular clergy, images, etc.) and the "casa" (the conduct and manner of life of the clergy), *C.T.*, VOL. X, p. 343, l. 45; he only hints at another possibility in a second letter, viz. the suppression, in the course of the discussion of dogma, of the abuses connected with the latter, *ibid.*, p. 347, l. 33; cf. also p. 352, l. 9. This procedure is likewise advocated in the small tract *De modo procedendi pari passu cum reformatione*, *C.T.*, VOL. XII, p. 449, l. 34. The author is not known but the recipient was undoubtedly Cervini.



and himself carry out a reform of the Curia and so render the notorious *reformatio capituli* by the Council superfluous. "Do not let yourself be intimidated by the slogan of reform," he wrote to Rome on 1 February, "give us a free hand; we shall not suffer anything unseemly to be done here." At the end of their report of 2 February the legates repeated their warning and reminded the Pope of the Recess of the Diet of Worms and a remark made by the auxiliary of Mainz, Michael Holding, the only German bishop who had so far put in an appearance at Trent: "Only reform can save Germany for the Church!"

These courageous and energetic representations were not without effect. Talk about the nomination of new legates was silenced while the prestige of Cervini, the man who had been the target of the sharpest criticism, was not only restored by the middle of February, but had risen to such a degree that with Ardinghello and Sfondrato he was regarded as Farnese's candidate in the event of a papal election. But both in Rome and Venice it was rumoured for months that he had asked to be allowed to return to Rome and that he would be permitted to do so in the near future.<sup>1</sup>

The postponement of the Session which the legates, in their great embarrassment, had suggested on 26 January, had not met with any marked opposition. The proposed time-limit oscillated between one week and one month, but on the very next day the legates dropped their plan, not only because they realised that it would be too evident a demonstration of their dependence on instructions from Rome, but likewise because its adoption would have compelled them to submit in the meantime a new subject for discussion and for this also they were without instructions from Rome. They accordingly submitted to the general congregation of 29 January the letters drafted by the Bishop of San Marco in the name of the Council to the Emperor, the King of France, King Ferdinand I and the Kings of Poland and Portugal, praying them to further the Council by the despatch of bishops and envoys.<sup>2</sup> No one was surprised when the French renewed the demand

<sup>1</sup> The Florentine agent Pandolfini writes on 3 February 1546 to Cosimo, State Arch. Florence, *Med.* 2966, fol. 142, that Del Monte would probably plead the climate, which was injurious to his health, as a ground for relief from his office but that the real motive was that he despaired of his ability successfully to represent the interests of the Curia at Trent.

<sup>2</sup> General congregation of 29 January 1546: Severoli, *C.T.*, VOL. I, pp. 25 f.; the acts, *C.T.*, VOL. IV, pp. 573 f.; Massarelli's *Diarium* has the highly interesting observation by Pacheco—made, however, outside the general congregation—that the letters to the princes should be signed "per natione", that is according to conciliar nations, *C.T.*, VOL. I, p. 397, l. 1. The legatine report of 30 January, *C.T.*, VOL. X, pp. 347 f.,

they had already made in the second Session, namely that their king should rank with the Emperor and should take precedence over the King of the Romans. Even more embarrassing was another matter which also came up in the course of the discussion, namely the question who should sign these conciliar letters? The legates alone? Or the Fathers of the Council as well, or at least their representatives? As in the case of the title of the Council, it was not a question of a mere formality; the question was whether the papal legates were to be regarded as the only representatives and spokesmen of the Council before the outside world, or whether, when they acted in the name of the Council, the Fathers, or at least their representatives, should also appear by their side. The Bishop of Capaccio, whom we have already come to know as an opponent in the dispute over the title of the Council, moved that the letters should be signed by all the bishops present. For this he drew on himself a sharp rebuke by the president which, as a matter of fact, was strongly disapproved even by so decided a defender of the legates' policy as Seripando. For fear of increasing the existing tension by a fresh conflict, the legates adopted the policy that had served them so well up to this time—they deferred the decision. As for the letters, they vanished in the desk of their humanistic author. In the sequel the legates kept the correspondence with Christian princes in their own hands without anyone objecting.

As a matter of fact, if they had put the discussion of the letters to princes among the agenda of 29 January, it was merely for the purpose of concealing their embarrassment. But even this seemingly harmless topic proved dangerous. We can understand their putting off the general congregation fixed for 1 February in which the decree on the parallel discussion of dogma and reform, which Severoli and Pighino had drafted in the interval, should have been discussed and finally revised. Instead of such a gathering they sent for Pacheco and Madruzzo for the purpose of discussing the situation with them. As if they meant to lay their cards on the table, they informed the two cardinals that the courier who had arrived on 31 January had been the bearer of the sum of money urgently needed for the maintenance of needy prelates and for the payment of the officials of the Council (2000 scudi), but not of the hoped for papal decision on the question of the programme: about the fact that a negative answer had been in their hands since 26 January they kept silence, for they hoped that their

contains a suggestion by the Archbishop of Armagh which is not otherwise attested viz. that a letter should be sent to the Regent of Scotland.

renewed representations in Rome might be successful. Their intention was to persuade the two cardinals to consent to the postponement of the decree. In this they were successful,<sup>1</sup> and in this way the success of their daring manœuvre was almost assured. The strain under which they had been living for a whole week was somewhat eased by the arrival, on 2 February, of another courier who was the bearer of a letter of Cardinal Farnese, the text of which has not been preserved. The letter bore the date of 30 January. Though it did not contain the keenly longed for papal approval of the decree concerning the conciliar programme, it at least assured them of the Pope's confidence. The three classes met for the first time on that day; so they took the opportunity to influence them in favour of the postponement of the decree. Cervini was successful in his class, but in the other two the majority apparently insisted on the publication of the decree,<sup>2</sup> though it seems that at the last moment the legates succeeded, by means of an individual appeal to each of them, in converting some of the Fathers of the Council to their view, for in the general congregation of 3 February<sup>3</sup> the great majority of the members agreed to the postponement. The old opponents in the dispute over the title, the Bishops of Fiesole and Capaccio, alone offered resistance; their opposition was even sharper than that of the Bishops of Badajoz and Astorga, who may have had information from another quarter about the true state of affairs. The Bishop of Badajoz accused the president to his face of having deceived the Council. Del Monte's reply was no less sharp: freedom of speech did not mean freedom to insult. He was quite right; but not only the spiteful Prée, but even the discreet Seripando, in their diaries, leave us in no doubt that the majority of the Council were fully aware of the true reason for the postponement of the decree, or were at least able to make

<sup>1</sup> Prée's assertion that the legates had cunningly obtained the assent of the two cardinals—Madrizzo and Pacheco—to the suppression of the decree on dogma and reform by first mentioning a citation of the German Protestants ordered by the Pope and then declaring their willingness to put it off, is unsupported by any of our sources, *C.T.*, VOL. II, p. 376; however, S. Merkle, "Quellenkritische Studien zur Geschichte des Konzils von Trient", *H.Ź.*, xxxi (1910), pp. 305-22, has sought to show that it is not incredible.

<sup>2</sup> We have a protocol of only one of the three classes, viz. *C.T.*, VOL. IV, pp. 575 ff., Massarelli's notes of Cervini's class. An *Avviso* from Trent, 3 February, State Arch. Florence, *Med.* 2966, fol. 147 asserts: "Le altre due classe sentirono il contrario, di modo che è gran confusione fra prelati."

<sup>3</sup> General congregation of 3 February 1546: Severoli, *C.T.*, VOL. I, pp. 26 f.; the acts, *C.T.*, VOL. IV, pp. 577 f.; the legates' report, *C.T.*, VOL. X, pp. 359 f.; the names of the opponents, *ibid.*, p. 364, l. 14. Seripando's cutting judgment—he was extremely dissatisfied with the result—on the majority as a whole, *C.T.*, VOL. II, p. 427, l. 19: "nullis argumentis, nullis rationibus sententias suas confirmabant."

a shrewd guess. The motive given by the president, that it was necessary to await the arrival of the bishops of Germany, France and Italy then on the way, was regarded, with good reason, as a mere pretext.

We can understand the satisfaction and the optimism which breathe in the legates' report of 4 February though these sentiments were not fully justified. The trust of the Fathers of the Council in the legates' straight-forwardness had suffered a rude shock. When in the general congregation of 3 February, Cervini quoted a passage in Farnese's letter to the effect that he meant to give a good example by renouncing some of his benefices, the words were stultified by Farnese's actions. The long-standing suspicion that Rome sought to circumvent the reform was not removed but strengthened: the seeds of distrust in the ultimate intentions of the Curia had been sown.

The events we have described explain why the third Session of 4 February 1546, proved one of the least fruitful of all the Sessions of the Council of Trent.<sup>1</sup> The numbers of those entitled to vote had not risen above that of the second Session. Of the many bishops who were staying in nearby Venice, not one had obeyed the summons of Nuncio Giovanni della Casa. The two short decrees were not read out by the Archbishop of Palermo, who had sung the Mass of the Holy Ghost, but by the Archbishop of Sassari. The first, which was inserted at the last minute to make up for the decree on the conciliar programme which had been suppressed, concerned the acceptance of the Nicaeno-Constantinopolitan Creed by the Council which in this way followed the example of many older Councils. The second decree fixed the date of the next Session for the Thursday after *Laetare*, that is, 8 April. In both decrees, in accordance with the decision of 13 January, the Council described itself as "oecumenical and universal", but this did not stop the obstinate protagonists of the theory of universal representation—the Bishops of Fiesole, Capaccio and Badajoz—from protesting in writing

<sup>1</sup> *Sessio* III, 4 February 1546: the acts, *C.T.*, VOL. IV, pp. 579-88; Severoli, *C.T.*, VOL. I, pp. 27 f.; the far too optimistic report of the legates, 4 and 5 February, *C.T.*, VOL. X, pp. 359-62 must be supplemented by Cervini's contemporary letter to Maffeo, pp. 362 ff. J. Schweizer, *Ambrosius Catharinus Politus* (Münster 1910), p. 269, proves the existence of a contemporary print of the sermon which Ehse does not mention, to which reference is made on pp. 141 f. His *Apologia pro veritate catholicae et apostolicae fidei et doctrinae adversus impia ac valde pestifera Martini Lutheri dogmata* (1520) is published by J. Schweizer and A. Franzen: *Corpus Catholicorum* xxvii (Münster 1956); the introduction lists the recent literature, p. ix. Pandolfini, in a letter of 27 January 1546 to Cosimo, reports on Nuncio della Casa's failure to get the bishops residing at Venice to set out for Trent, State Arch. Florence, *Med.* 2966 fols. 132, 138.

against the omission of the title *universalem ecclesiam repraesentans*. The last-named further protested against the suppression of the decree about the programme.

The Dominican Ambrosius Catharinus of Siena was the first controversial theologian to enter the pulpit of the Council. His *Apologia*, published in the year 1520, ranked him among the first Italian opponents of Luther. His relatively short sermon started, hardly unintentionally, with the trials which, like St Peter, the Council had to undergo. Like Peter, the Council will be "sifted", when its unity, hence the unity of the Church, will be put to the test. Only in union with the Pope will it be able "to confirm the brethren" and gather the scattered and wandering sheep. Catharinus foresaw that his appeal would be given a cheap explanation: "Catharinus, the Papist, the flatterer! the benefice-hunter!" He answers the jibes by comparing himself with the aged Simeon: even as the latter beheld the Saviour, so did he hope, before his end, to be permitted to fold in his arms the *Christus formatus*, that is, the purified Church.

The third Session marks the end of the initial period of the Council. To all outward appearance it had yielded no practical results, but in reality it was decisive for the further course of the assembly. This was determined by three factors: by the persons that made up the assembly and their mental attitude to the questions discussed; by the Pope as their head; and by the presiding body as the intermediary authority between both. The last two general Councils, that of Basle and the fifth Lateran Council, had not attained their object, or had done so only very imperfectly, because at the former the tension between the Curia and the Council did not lead to a creative settlement but, on the contrary, ended in a breach which the presidents had been unable to prevent, while at the Lateran Council, by reason of the small attendance by non-Italians and the direct guidance by the Pope himself, no real opposition could arise. On the day of the opening of the Council of Trent, no one could foretell in which direction it would move in the burning question of reform, what rights it would claim with regard to the Pope, and how its attitude to the Curia would shape itself. It was equally uncertain at that time whether the legates, as the Pope's representatives, would succeed in taking over the reins and so set the pace for the future course of the Council.

At the end of two months' negotiations one thing had become evident: notwithstanding the small number, for the time being, of the participants, and in spite of the preponderance of the Italians, this

gathering was no pliant tool of the Pope. Not that the bishops of Charles V's territories had already formed an imperial party in conjunction with Cardinals Madruzzo and Pacheco, and were openly using their influence to promote the political aims of their sovereign as was done by the handful of Frenchmen at Trent; on the contrary, the negotiations about the title of the decrees of the Council and on the place of Church reform in its programme, as well as on secondary questions, such as the appointment of conciliar officials and the drafting of letters to princes, had shown that a large number of the prelates present had very personal views on the duties of the assembly, were conscious of their duty and possessed a full measure of episcopal self-reliance. The Bishop of Astorga's remark that the Council would know how to conduct its own affairs was no isolated expression of Spanish pride, while the general applause which greeted Madruzzo's reform speech clearly showed in what direction the wishes of the majority tended. It is true that on the most important controversial question the majority ended by taking the line laid down by the legates, but this outward conformity was by no means synonymous with the complete abandonment of what they had originally aimed at. Above all the most recent incidents, which marked the suppression of the decree by which the simultaneous discussion of dogma and reform was to be put on the conciliar programme, had given rise to dissatisfaction and distrust and fed a dangerous pessimism. On 4 February an observer<sup>1</sup> wrote: "Now, as before, I am of opinion that the Council will do nothing [for the reform]. It will content itself with regulations for religious and secular priests—unless God sends a fresh wind from the north to fan into flame the embers of which there remains a good quantity. As things are no one shows courage or is able to obtain anything, because the questions and proposals of the legates are the sole theme of the negotiations and they have openly declared that the Council was a papal one and could only treat of such matters as were agreeable to His Holiness. The opposition to such a principle has not yet ventured into the open because it judges that its time is not yet. For all that, there is a goodly number of prelates who are prepared for such a move, and they would

<sup>1</sup> State Arch. Florence, *Med.* 2966, fol. 154: "Il successo della seconda Sessione del concilio tenuta alli 4 di febbraio 1545 (1546)." The writer bestows great praise on the preacher of the Session, Ambrosius Catharinus: "Certo mai l'havia creduto che questo huomo tanto fervore et ardire havuto havessi. Ha detto liberamente, non toccando pero nessuno, confortando tutti alla liberta del concilio che si parli senza rispetto, il che pero non si potra mai fare, se prima non vengono piu numero et huiusmodi che voglino la gatta."

have moved—but, as I said, unless God sends help, nothing will happen.”

Such pessimism may seem exaggerated, but Seripando, a trustworthy witness, noted that it was precisely among the best elements of the Council that discontent was most prevalent. The legates' official optimism could not conceal the dangers that threatened from this quarter, least of all from the Pope. There can be no doubt that the course of the discussions up to this time had been a disappointment for the Pontiff as well as a source of fresh anxiety. Events did not in any way conform to the picture of a papal Council such as had always been before Paul III's mind. This Council bore no resemblance to a ship whose helm could easily be manipulated from Rome. Not without a secret satisfaction the French party at the Curia took note of this disappointment; it foresaw that, combined with the recrudescence of mutual distrust between Pope and Emperor, it would in due time bring the latter's great plan to nought. In certain circles of Curia officials it was whispered<sup>1</sup> that the Pope regretted his having opened the Council and thereby laying himself open to unpredictable dangers. In this instance the wish may have been father to the thought. On the other hand, the fact that the Pope was filled with anxiety lest his authority should be tampered with at Trent, is abundantly proved by the frequent directives to the legates not to tolerate any narrowing of the papal authority, even in small matters, such as the granting of indulgences. Another stone of offence at Trent as well as in Rome, though in a different sense, was the question of Church reform, above all, the reform of the Curia. If at Trent distrust of the Curia's willingness to reform was on the increase, fear that its very existence was threatened was increasingly felt at the Curia. It was unfortunate that the Pope's closest adviser, Cardinal Farnese, was quite insensible to the elemental need of reform. However, he was not the Pope's only counsellor.

As early as 19 November 1544 a commission of cardinals had been set up for the affairs of the Council. It consisted at the time, besides the

<sup>1</sup> “Quivi si tiene” we read in an *Avviso* from Trent, State Arch. Florence, *Med.* 2966, fol. 148<sup>v</sup> “che il papa si pente d'esser andato tanto avanti”; so also in an *Avviso* of 5 February, *ibid.*, fols. 155<sup>r</sup>-156<sup>v</sup>: “Dicono alcuni che il papa vorria esser digiuno di questa aperitione.” On 22 January Peter Merbel writes from Milan to Beatus Rhenanus, on the basis of information received from Trent: “Concilium indixisse (papam) ter quaterque et amplius poenituisse nemini dubium est”; he was looking for reasons to dissolve it, for by now it was clear “quid intervenientes dicturi in eo sint”, Horawitz-Hartfelder, *Briefwechsel des B. Rhenanus*, p. 545. The rumours of a translation, which circulated at Venice at the beginning of February 1546, sprang from the same sources, *C.T.*, VOL. x, pp. 376 f.

three future legates, of the dean of the Sacred College, Cardinal Cupis, and Cardinals Carafa, Parisio, Guidiccioni, Crescenzo and Cortese, as permanent members. They were to be joined by Grimani and Morone when they were not prevented by their legations in Emilia or at Bologna respectively. The commission had collaborated in the drafting of the legates' instructions, and its president, Cupis, had been charged by the Pope to press the bishops present in Rome to repair to the Council. Its advice was taken at the time of the decision to open the Council and when the proctors' right to a vote came to be debated. The reports of the conciliar legates were regularly submitted to it and no important decision was taken without it. Although it used to meet twice a week during the month of January 1546, the blame for the slowness of Roman decisions was laid at its door. Again and again we read in the legates' report that not only all questions about the programme of the discussions and the eventual translation or suspension of the Council, but even the drafts of decrees and the finances were discussed by the cardinals of the commission even before the Pope issued his instructions to the legates. As late as the summer of 1546 the dean of the Sacred College acted as president; but the names of Cardinals Ardinghello, Crescenzo, Sfondrato and Morone are mentioned more frequently. In what direction their influence tended, in fact how far it reached, it is difficult to ascertain because we have neither protocols nor any other information about the sittings of this important commission.<sup>1</sup>

Even less easy to assess is the influence of another group of persons with whom the Pope was in the habit of discussing his political decisions at this time, namely the "secret" or "private council".<sup>2</sup> It was formed

<sup>1</sup> A conciliar deputation of nine members had already been constituted for the prospective Council of Mantua, *C.T.*, VOL. IV, p. 142. The eight deputies appointed for the first Tridentine attempt, *ibid.*, p. 329, n. 2, are all members of the deputation of 1544, with the exception of Badia, *ibid.*, p. 385, though on 22 November 1544, Gualteruzzi once more names Badia, Bibl. Ricci 4, fol. 22<sup>r</sup>. For the activities of the deputation, *C.T.*, VOL. IV, p. 429; VOL. X, pp. 13, l. 7; 222, l. 6; 261, l. 30; 267, l. 31; the report in VOL. X, pp. 297 ff. was meant to be *litterae monstrabiles* for the deputies, cf. *ibid.*, p. 300, l. 3. Del Monte's complaint of the slow-moving procedure, *C.T.*, VOL. I, p. 392, l. 41, is confirmed in VOL. X, p. 358, l. 6. The "congregatione" in presence of the Pope mentioned in VOL. X, p. 321, l. 4, was probably a session of the commission of cardinals; on 13 February 1546 Gualteruzzi mentions that "due volte la settimana congregationi" took place, Bibl. Ricci, 6, fol. 155<sup>r</sup>. Further information on the activities of the commission in *C.T.*, VOL. X, pp. 400, l. 21; 406, l. 36; 414, l. 6; 425, l. 5; 462, l. 8; 506, l. 28; 511, l. 16; 535, l. 14; 544, l. 5; 560, l. 14; 566, l. 29; 576, n. 3 (formation in July 1546); p. 617, l. 1 (decision on translation plan); p. 743, l. 23 (plan for a suspension); p. 915, l. 29 (Morone a member); p. 923, l. 36 (discussion between Morone, Carafa and Sadoletto on the question of reform).

<sup>2</sup> The "consiglio privato di S. Sta" is mentioned by Bianchetti writing to della Casa on 11 July and 8 and 15 August 1545; on February 1546 he mentions Crescenzo's



exclusively of cardinals closely connected with the house of Farnese and who enjoyed the full confidence both of the Pope and the cardinal-nephew. They were Gambara, Ardinghello, Sfondrato, Capodiferro and, after February 1546, Crescenzo. The names of nearly all of them figure in the story of the antecedents, or in the actual history of the Council of Trent. What was undoubtedly the most important part of their activity, namely their influence on the decisions of a Pope who weighed everything slowly and rarely took a bold step, remains hidden from us. Considerable influence at the Curia was indeed ascribed to the private secretary Bernardino Maffeo,<sup>1</sup> mainly because he was frequently summoned into the Pope's presence as often as twice a day, but it is doubtful whether this shrewd and in every respect excellent man, at that time not much more than thirty years of age, was more than the mere executor of another's decisions. All that we know for certain is that in his many letters to Maffeo, Cardinal Cervini expressed himself with far greater freedom than in his official correspondence. Through him he transmitted many a piece of information and many a suggestion to Farnese, or over the latter's head, even to the Pope himself.

The most weighty outcome of this initial period was the consolidation of the legates' position before the Council as well as before the Pope. They too had first to learn that the Council jealously guarded its rights and would not be commanded. Thus they had been obliged to cancel the nomination of the first conciliar commission on 22 January, because it had been made without the concurrence of the Council. With regard to the Pope, on the basis of the mandate of 22 February 1545,<sup>2</sup> they enjoyed all the powers of legates *a latere* and this in such

admission to the "consiglio secreto di N.S." Bibl. Ricci, 5, fols. 116<sup>r</sup>, 119<sup>r</sup>, 152<sup>v</sup>. In November 1545 Cattaneo only mentions Ardinghello and already Crescenzo, *C.T.*, VOL. X, p. 846; these two, with Sfondrato, were in charge of the reform of the Curia according to *C.T.*, VOL. X, p. 372, l. 36; cf. also Morandi, *Mon.*, VOL. I, p. 31.

<sup>1</sup> Bernardino Maffeo, born c. 1514, in Rome, but of the Verona family of that name, became Bishop of Massa in 1547, a cardinal in 1549, and died in 1553; cf. Merkle's collection of material, *C.T.*, VOL. II, pp. xxiv ff. His attitude towards reform can be judged by his remark, *C.T.*, VOL. X, p. 372, ll. 12 and 34: "To remove abuses in the Church a certain amount of force was required, otherwise, 'non gli lasceremo mai'; if he had a 'voice in chapter' he would raise a storm."

<sup>2</sup> The mandate for the legates, 22 February 1545, *C.T.*, VOL. IV, pp. 393 f., originally stated that they could submit proposals (*proponere*), but were only authorised to take a decision "cum consensu concilii". Del Monte objected to this restrictive clause, *C.T.*, VOL. X, p. 7, l. 42; it was accordingly struck out, though the commission of cardinals saw no danger in it, *ibid.*, p. 15, l. 8. However, it was only on 7 December 1545 that Farnese despatched to Trent a third formula of the mandate. This referred them to the

wise that if one of the three were impeded, the other two would have full power of directing the Council. What they would make of these powers was left to develop as time went on. They had no instructions for the conduct of the negotiations. Farnese advised them on 31 December to allow themselves to be guided by the directives which the Pope would give them from time to time on the basis of the reports received by him. They were the Pope's commissaries and felt, as such, they were not the Council's spokesmen. In their view the Pope, the College of Cardinals and the Council constituted an organic whole (*un medesimo corpo*). They strictly insisted that the Council by itself, that is without the Pope and his representatives, was without jurisdiction. This it received from the Pope, and that in such a way that neither the legates without the Council, nor the Council without the legates, were in a position to pass any acts having force of law. The whole of their conciliar policy was inspired by this fundamental conception which rests on the authority of Torquemada.

However, it became evident in the course of the month of January that the unpredictable state of mind of the assembly and the ensuing changes of the situation often demanded speedier decisions than it was possible to obtain through the ordinary post to Rome which operated twice a week, or even by either of the more expeditious means of information, despatch-riders or couriers. During the legates' embarrassment on the eve of the third Session, Massarelli had observed that "no bird, still less a courier" could make the double journey to Rome and back within a period of five days. It took a courier at least three days, and a despatch-rider four days to do a single journey.<sup>1</sup> The Council could not be directed from Rome. The Tridentine legates must be allowed a certain freedom of action. They must have Rome's confidence to the extent of enabling them to take urgent decisions as they themselves judged best. It was chiefly due to Cervini that they secured this freedom. In this way the fate of the Council was placed in their hands to a far greater extent than Rome had originally intended.

Bull of Indiction for the extent of their legatine powers, *ibid.*, p. 268, l. 14. But jurist as he was, Del Monte discovered that according to the rules of Canon Law this formula, which was also found in the brief of 4 December 1545 ordering the opening, was prejudicial to a previous Bull concerning the proctors; he accordingly omitted the reading of it in *Sessio* I; cf. also *ibid.*, p. 272, l. 18 and Ehses's comments, *C.T.*, VOL. IV, p. 442, n. 3. For the legates' conception of the Pope as the bearer of jurisdiction see *C.T.*, VOL. X, pp. 731, l. 20; 754, l. 8.

<sup>1</sup> *C.T.*, VOL. I, p. 398, l. 4; further data in my essay on the Council's expenditure, pp. 125 f. (see above p. 2, n. 6), and in CH. XII below.

The oldest in rank, Giovanni Maria del Monte, Cardinal-Bishop of Palestrina, enjoyed a great reputation as an able jurist and administrator.<sup>1</sup> Del Monte owed his elevation to the cardinalate chiefly to his uncle Antonio, who, during the stormy period of the *conciliabulum* of Pisa and the beginnings of the schism, had shown himself a staunch supporter of the Papacy by his unimpeachable integrity as a judge and a counsellor. His nephew may have lacked a thorough theological formation, and he was without diplomatic experience of any kind. On the other hand he brought to his office of president, in addition to his knowledge of the law, that unerring sense of objectivity, that instinctive appreciation of what is politically right and attainable, which are characteristics of the Italian man-of-the-people to this day. Behind the somewhat rugged features of the man, then at the end of his fifties, there lurked a peasant's unfailing shrewdness. One regrettable disposition in a man called upon to take the lead in discussions, namely a tendency to fly into sudden fits of anger, was in some way neutralised by his presence of mind and quickness of repartee in debate, and not least by a dry humour with the help of which he successfully negotiated more than one critical situation. The pen was no tool of his, but when he wields it in his legatine reports he surprises the reader by the liveliness and picturesqueness of his style and the aptness of his comparisons. His somewhat clumsy writing is clear and distinctive. A partiality for rich and plenteous food had resulted in his falling an early victim to the gout, which frequently kept him away from the negotiations and compelled him to seek periodical relaxation outside the city of the Council. The longer his duties of president of the Council kept him at Trent, the more his health deteriorated and the more pressing became his request to Rome for his release. A serious disagreement with Cardinal Madruzzo in

<sup>1</sup> For Antonio Del Monte († 20 September 1533) cf. H. Jedin "Kardinal Giovanni Ricci", *Miscellanea P. Paschini*, pp. 271 ff.; letters of his also among the *Epistolae* of Pietro Delfino (Venice 1524). There can be no doubt that Gianmaria Del Monte's progress was greatly speeded by consideration for his highly respected uncle. Nothing of importance about his early years has come to light since Pastor wrote (*Popes*, VOL. VI, pp. 36 ff., Eng. edn. VOL. XIII, pp. 45 ff.). Jakob Hess's prolonged researches about the Villa Giulia promise much fresh information about the future Pope Julius III. The letters to the Dukes of Ferrara 1536-50, State Arch. Modena, *Roma* 110, only refer to matters connected with the legations of Ravenna, Parma and Bologna. Del Monte's claim that nine-tenths of Paul III's confidence were given to Cervini and only one tenth to himself, *C.T.*, VOL. I, p. 349, is of course a considerable exaggeration. Farnese praised his equanimity during Madruzzo's "Chietinist sermon", *C.T.*, VOL. X, pp. 368 f. Tommaso Stella, *ibid.*, p. 760, n. 3, describes him as "zelante, corragioso e vigilantissimo" and expresses the opinion that besides Cervini's "quieta natura" his "animosità" was a necessity.

July 1546 further contributed to rendering his stay at the Council distasteful.

Besides presiding at all conciliar acts it fell to Del Monte, as a jurist, to lead the negotiations dealing with the reform. However, in view of his whole mental attitude he was not the man to overcome the deep-rooted distrust of the people north of the Alps about the Curia's willingness to reform; on the contrary his dilatory tactics, his partiality to "little solutions", only increased it. On the other hand he always stood up with determination for the authority and the interests of the Papacy, though at times with uncalled for bluntness. For all that it was no secret that it was not he who was the recipient of the Pope's unlimited confidence but his colleague Cervini, who, moreover, surpassed him both in theological knowledge and in keenness for work. By means of his office of president and by the weight of his personality, Del Monte maintained his position at the head of the assembly until the end: he was, and remained its head, but its heart and motive power was Marcello Cervini.

Cervini, the Cardinal-priest of Santa Croce, hence frequently called Cardinal Santa Croce, came from Tuscany, from the same province as his colleague.<sup>1</sup> Orphaned at an early age he succeeded, by dint of unwearied application to study, in extricating himself from straitened circumstances and when he became Alessandro Farnese's adviser he was caught, against his natural inclination, in the turmoil of politics. It was not the law-courts but the study which this scholar preferred, who was not at any time a mere humanist even if—with the best of them—he too busied himself with textual emendations of Cicero and Arnobius, Eustathius and Theodoret of Cyprus. For him "Christian humanism" did not mean a return to the "ancient devotion", or a search for a

<sup>1</sup> Since Pastor's biography of Cervini (*Popes*, VOL. VI, pp. 324 ff., Eng. edn. VOL. XIV, ch. 1 and 2), B. Neri's *Marcello II* (Alba 1937) has been published. For his scholarly interests there is abundant material in Massarelli and in the conciliar letters (e.g. *C.T.*, VOL. I, pp. 166; 197; 224; 226; 279; 282; VOL. X, pp. 67; 126); P. Paschini, "Un Cardinale editore, Marcello Cervini", *Miscellanea Luigi Ferrari* (Florence 1952), pp. 383-413. The observation in *C.T.*, VOL. I, p. 209, l. 4, on the papal directives, is characteristic; VOL. X, pp. 72 f.; 84, for his characteristic conception of the relations between the Pope and the Emperor. When Massarelli told Madruzzo that the cardinal did not desire any honours from the Emperor, *C.T.*, VOL. I, p. 292, l. 10, he was expressing the sentiments of his master. Cervini's favourite walks were in the direction beyond the castle, towards Fontana Santa (*ibid.*, pp. 213, l. 28; 217, l. 1; 224, l. 30; 274, l. 15), beyond San Bernardino towards Pergine (*ibid.*, pp. 217, l. 38; 225, l. 3), or along the city wall, beside the Adige (*ibid.*, pp. 215, l. 24; 227, l. 12). Morone's appreciative remarks on Cervini's reforming zeal, *C.T.*, VOL. X, p. 294, l. 2; Andreas de Vega's testimony to Cervini's exertions in connection with the decree on justification, in the work *De justificatione* (Cologne 1572), pp. 9 f.

“new” one; least of all did it imply criticism of the pitifully disfigured Church—for him it meant sharing in her truth and grace and a duty to serve her. Though clad in the purple, he was above all a priest. As priest and as head of his household he personally gave Holy Communion to his familiars at Trent. His simple, sincere piety swept him into the reform party, but he was much too conservative to fall in with the radical proposals of the *Consilium de emendanda ecclesia*. For him reform meant in the first instance the strict performance of his own pastoral duties in his diocese of Gubbio, where he appointed that excellent man, Antonio Lorenzini, as his Vicar, and after that, as a matter of course, the spontaneous reform of the Roman Curia. Cardinal Morone described him as “an incomparable man” (*uomo senza paragone*); with ten such men, he would confidently undertake the reform of the whole Church. In his capacity as a member of the Roman Inquisition he stood for the middle course which this tribunal pursued throughout Paul III’s pontificate. The boldness with which he opposed the excessive devotion to the interests of his family of Alessandro Farnese, his former pupil, cost him the latter’s favour, though not the Pope’s who now as before lent a willing ear to his advice—at least in the ecclesiastical sphere—even if he did not invariably act on it. Only in all that concerned the guidance of the Council did Cardinal Santa Croce enjoy Paul III’s full confidence—a confidence that was fully justified. The cardinal’s unconditional devotion to the service of the Church was matched by a scrupulous observance of the dictates of conscience. On three occasions, he once told his secretary Massarelli, he had felt compelled to act in opposition to papal directions in order to act rightly (*per fare bene*). He was no court functionary. In his politics he shared Paul III’s distrust of Charles V and definitely leaned to the French side, more particularly after the Emperor had threatened to make him feel his vengeance should he carry out his plan to transfer the Council into central Italy. At the time of his entry upon his duties of conciliar legate he was only forty-four years old, yet his health left much to be desired. During the waiting period in June 1545 he had a severe attack of kidney trouble and he also suffered from gall-stones. In order to keep fit for work he was wont to take regular walks in the immediate neighbourhood of Trent and insisted on plain fare, for the weight of conciliar business rested for the most part on his shoulders, more particularly the preparation of the dogmatic decrees and, to a large extent, the correspondence with the Curia. His relations with a number of persons enabled him to procure printed

literature which might prove helpful in the conciliar discussions, as for instance Ugoni's work on the Councils, or Protestant books from Augsburg, as well as Greek and Latin manuscripts. With the imperial ambassador Mendoza—a keen collector of manuscripts—he exchanged Greek manuscripts, while Cardinal Cortese procured for him a better Latin text of the acts of the eighth general Council. The almost exclusive object of his considerable correspondence with the learned Guglielmo Sirleto was the acquisition of technical material for the preparation of the conciliar decrees. He was successful in securing the best brains and the most skilful stylists for the formulation of the canons, first among them being the general of the Augustinians, Seripando, who gradually became his most trusted collaborator. But all the time he took a personal part in the work, correcting and altering the wording until he found a satisfactory and generally acceptable formula. With unwearied patience he listened not only to the frequently long-winded votes of the theologians and the bishops but he was also at all times willing to receive them outside the congregations, so that they might lay before him their objections as well as their proposals. "No one knows with what perseverance he laboured day and night", one of his closest associates, the Franciscan theologian Andreas de Vega, wrote at a later date, "in order to give to the most difficult of all the decrees of that period, the decree on justification, its definite form." And we may add: in the years 1546-7, no dogmatic decree was formulated without his personal, active co-operation; every one of them bears, in some way, the imprint of this devout, learned and prudent man.

If the third legate, Cardinal Pole,<sup>1</sup> kept very much in the background behind his colleagues, it was not because his was an insignificant personality, rather was it due to the fact that he was less conversant with the affairs of the Curia as well as to a certain aristocratic reserve. He would never meddle with tasks that did not come his way. Like Cervini he was in his middle forties, but even more than the former, he was handicapped by anxiety for his health to which the climate of Trent was not favourable, as well as by a not altogether groundless, yet exaggerated fear of the snares of his mortal enemy, the King of England,

<sup>1</sup> Literature on Pole up to 1936, *L.Th.K.*, vol. VIII, pp. 343 f.; W. Schenk, *Reginald Pole* (London 1950). Ruggieri, the agent of Ferrara, says of him on 16 July 1541: "La bontà del mondo unita con molta dottrina et prudentia", State Arch. Modena, *Roma* 27 A. A defence of the freedom of speech at the Council, according to Pandolfini's report to Cosimo, 3 February 1546, in State Arch. Florence, *Med.* 2966, fol. 142; cf. also H. Jedin, "Il Cardinal Pole e Vittoria Colonna", *Italia Francescana* XXII (1947), pp. 13-30; further details in CH. VII, p. 279, n. 1, below.

Henry VIII. Cervini was learned and devout; Pole radiated a deep piety, of Biblical inspiration, in the small, strictly closed circle of his entourage—men like the Venetians Aluise Priuli and Donato Rullo, Tommaso Stella of Brescia, and the poets Marcantonio Flaminio and Vittoria Colonna. Nobility of character, a genuine humanity, and a highly cultivated mind made of Pole an agreeable colleague for the two Italians who were entrusted with the leadership of the Council. It may be that a more important role would have been allotted to this single representative of foreign nations in the College of Legates had the German Protestants put in an appearance at Trent, or if the English question had been broached. In that event it would have been seen that, by reason of his interpretation of the schism, as well as his views on reform, Pole and Contarini were kindred spirits—as a matter of fact Pole had signed the famous reform programme of 1537 at the same time as the latter. We shall have to revert to the motives which led him to leave Trent and to lay down the legatine dignity. But even at this time, in the first days of February 1546, the Florentine agent in Venice, Pandolfini, claimed to have heard that in one of the ordinary conferences of the legates Pole had energetically protested against any kind of curtailment of free speech, even with regard to the Roman Curia, on the grounds that it was not lawful to set up barriers against the will of the Holy Ghost at the Council. One is inclined to regret that this devout, refined and cultured man—whose name evokes for many the memory of his countryman, Newman, and over whose head the tiara was to hover for a moment at the conclave of 1549, did not assert himself more and that he should have left Trent so soon, as early in fact as the end of June 1546.

Contrary to what occurred during the third period of the sessions, during which the tensions within the College of Legates affected the guidance of the Council most adversely, the harmony between the legates was never disturbed at this time. Better than Ludovico Simonetta later on, Cervini knew how to take advantage of the confidence the Pope placed in him, without any breach of his loyalty to his colleagues.<sup>2</sup> His numerous separate reports prove his solidarity with both

<sup>2</sup> For Del Monte's and Cervini's share in the legatine correspondence see J. Müller in *Z.K.G.*, XLIV (1925), pp. 418 ff. For Severoli's reports see below, CH. XIV. Farnese's request to the Bishop of Bitonto to report, in *C.T.*, VOL. X, p. 337, n. 7; the one addressed to the Bishop of Albenga is mentioned, *ibid.*, p. 790, l. 39; allusion by the legates to the other clandestine reporters, *ibid.*, pp. 343, l. 2; 352, l. 38; 354, l. 12; 392, l. 6; and VOL. I, p. 393, l. 26. Report of the Bishop of Motula, *C.T.*, VOL. X, pp. 500 f., 532 f.; of the Bishop of Belcastro, *ibid.*, pp. 469 f., and repeatedly. It was natural that

his colleagues on all points of importance. Danger was more likely to come from another quarter. The fact was that, besides the official reports of the legates, letters from other members of the Council also reached Rome and these were not invariably as objective and restrained in their judgments as were the reports of the promoter of the Council, Severoli, to Cardinal Farnese. The legates were well aware that men like the Greek Zanettini and the Roman Giacomelli, from perfectly transparent motives, were pressing their reports and their advice upon the Pope. However, under Paul III these rival reporters never became a real danger to the unity of direction of the Council. Rome took cognisance of their information—they were heard, but, as far as can be ascertained, they were not listened to. On the other hand, the Pope would not agree to a direct prohibition of private reporting, as Pacheco desired and as would undoubtedly have been in the interest of the Council. He was anxious to have information from as many quarters as possible, but he maintained his full confidence in his legates and stood by them when in the summer of 1546, they were subjected—Cervini more than the others—to heavy attacks by the imperial party. But he also had the satisfaction of hearing his Vicar for the diocese of Rome, Filippo Archinto, pass the following judgment on the activity of the legates, one month after his arrival in Trent—"it was", he declared, "perfectly loyal, extraordinarily prudent and unwearied".

a bishop as politically active as the Bishop of Fano would write frequently. We shall have to refer repeatedly to the letters of Dionisio de Zanettini, Bishop of Melopotamos, part of which has already been printed by Buschbell in *Reformation und Inquisition*, pp. 246-65. Archinto's opinion of the legates, *C.T.*, VOL. x, p. 760, n. 3 (18 December 1546); Pacheco's opinion: "utinam a nullo alio quam a R<sup>m</sup>is legatis ea quae hic geruntur, in Urbem scriberentur", *C.T.*, VOL. I, p. 486, l. 24.



## CHAPTER II

### Scripture and Tradition

A COMPROMISE had been arrived at by the Council on the resolution of 22 January. The decision to discuss dogma and reform simultaneously would not be embodied in a decree, but in practice it would be adhered to. If the legates' proposal to link the negotiations about reform with the dogmas then under examination was adopted, the direction of the discussions fell to them. However, even now no firm programme, approved by the Pope, for their sequence, was as yet in existence.<sup>1</sup> As

<sup>1</sup> For the origin of the decree of *Sessio IV* on Scripture and Tradition, see K. D. Schmidt, *Studien zur Geschichte des Konzils von Trient* (Tübingen 1925), pp. 125-209; A. Maichle, *Der Kanon der biblischen Bücher und das Konzil von Trient* (Freiburg 1929); H. Jedin, *Seripando*, vol. I. (Würzburg 1937), pp. 311-25 (Eng. edn. pp. 268-82); G. M. Giurato, *La tradizione nella IV Sessio del Concilio di Trento* (Vicenza 1942); J. Salaverri "La tradición valorada como fuente de la revelación", *Estudios eclesidásticos*, xx (1946), pp. 33 ff.; E. Ortigués, "Écriture et tradition apostolique au Concile de Trente", *Recherches de science religieuse*, xxxvi (1949), pp. 271-99; W. Koch, "Der Begriff *traditiones* im Trienter Konzilsdekret in *sessio IV*", *T.Q.*, cxxxii (1952), pp. 46-61; 193-212. For the antecedents of the principle of Tradition, see A. Deneffe, *Der Traditionsbegriff* (Münster 1930); J. Ranft, *Der Ursprung des katholischen Traditionsbegriffs* (Würzburg 1931); P. Smulders, "Le mot et la conception de tradition chez les pères", *Mélanges Jules Lebreton*, vol. I. (1951), pp. 41-62; E. Flesseman Van Leer, *Tradition and Scripture in the early Church* (Assen 1954); H. Grass, *Die katholische Lehre von der Heiligen Schrift und von der Tradition* (Lüneburg 1955); J. Beumer, "Das katholische Schriftprinzip in der theologischen Literatur der Scholastik bis zur Reformation", *Scholastik*, xvi (1941), pp. 24-52; J. Lodrigger, "La notion de tradition dans la théologie de Jean Driedo", *Ephem. theol. Lovan.*, xxvi (1950), pp. 37-53; G. Filograssi, "Tradizione divino-apostolica e Magistero della Chiesa", *Gregorianum*, xxxiii (1952), pp. 135-67. For a judgment on the discussion of the anathema see A. Lang, "Der Bedeutungswandel der Begriffe *fides*, *haeresis* und die dogmatische Wertung der Konzilsentscheidungen von Vienne und Trient", *Münchener Theol. Zeitschr.*, iv (1953), pp. 133-46; P. Fransen, "Reflexions sur l'Anathème au Concile de Trente", *Ephem. theol. Lovan.*, xxix (1953), pp. 657-72.

For the antecedents and the history of the Vulgate decree see H. Höpfl, *Kardinal Sirlets Annotationen zum N.T.* (Freiburg 1908); *id.*, *Beiträge zur Geschichte der Sixto-Klementinischen Vulgata* (Freiburg 1913), pp. 1-43; W. Koch, "Der authentische Charakter der Vulgata im Lichte der Trienter Konzilsverhandlungen", *T.Q.*, xcvi (1914), pp. 401-21; 542-72; xcvi (1915), pp. 225-49, 529-49; A. Maichle, *Das Dekret De editione et usu s. librorum* (Freiburg 1914); H. Rongy, "La Vulgate et le Concile de Trente", *Revue eccl. de Liège*, xix (1927/28), pp. 19 ff.; H. Jedin, *Seripando*, vol. I, pp. 325-41 (Eng. edn. pp. 283-301); R. Draguet, "Le maître louvaniste Driedo inspirateur du Decret de Trente sur la Vulgate", *Miscellanea Albert de Meyer* (Louvain 1946), pp. 836-54; J. M. Vosté, "La Volgata al Concilio di Trento", *La Bibbia e il Concilio di Trento* (Rome 1947), pp. 1-19; A. Allgeier, "Das Konzil von Trient und das

late as 4 February the legates spoke of their intention of starting with the dogma of original sin, but on 7 February, on the strength, perhaps, of a theological opinion they had sought, they decided to give precedence to the discussion of the formal principle of faith while the general congregation of the following day would establish the principle of the Scriptures of both Testaments as "the necessary basis" of their dogmatic labours. This basis, they said, was necessary because the canonicity of certain books of the Bible had been called in question, but this procedure would also provide an opportunity for building up into a connected whole the Tradition of the Church and the decisions of the General Councils. Moreover, they would be faithful to the decision of 22 January if they discussed the abuses that had crept into the practical use of the Scriptures.<sup>1</sup> In accordance with this proposal the general congregation of 8 February,<sup>2</sup> after a brief debate, decided to establish, first by means of particular congregations, and then in the weekly general congregation, usually held on Friday, "which Scriptures were part of the canon and which were not". Particular congregations were a recently introduced innovation in the working of the Council. The members of the Council entitled to a vote had been split up into three groups (classes), each of which met under the presidency of one of the legates at the latter's residence. The idea appears to have originated with Del Monte. On the legates' proposal a decision to that effect had been arrived at in the general congregation of 20 January, in spite of the fear expressed by Cardinals Madruzzo and Pacheco that business would be thereby unduly complicated. Immediately before the third Session, on 2 February, the three "classes" had held their first meeting and in these smaller groups the legates had succeeded in lessening the opposition to the suppression of the decree concerning the

theologische Studium", *H. J.*, LII (1932), pp. 313-39; *id.*, "Ricardus Cenomanus und die Vulgata auf dem Konzil von Trient", in Schreiber, *Weltkonzil*, VOL. I, pp. 359-80.

For the interpretation and the effects of the Vulgate decree see S. Muñoz Iglesias, "El decreto tridentino sobre la Vulgata y su interpretación por los teólogos del siglo XVI", *Estudios bíblicos*, v (1946), pp. 137-69; R. Criado, "El Concilio de Trento y los estudios bíblicos", *El Concilio de Trento* (Madrid 1945), pp. 255-91; B. Emmi, "Il decreto tridentino sulla Vulgata nei commenti della prima polemica protestantico-cattolica", *Angelicum*, xxx (1953), pp. 107-30.

<sup>1</sup> *C.T.*, VOL. x, p. 361, l. 7 (4 February): plan to start with original sin; change of plan on 7 February, *ibid.*, x, p. 373; Cervini's comment, *ibid.*, p. 379, l. 23. The Pope's subsequent approval, *ibid.*, p. 384, l. 22. The influence of the memorial, *C.T.*, VOL. XII, p. 448, appears from the fact that there we meet for the first time with the legates' remark—repeated more than once—that "the weapons must first be got ready".

<sup>2</sup> General congregation of 8 February 1546: *C.T.*, VOL. I, pp. 28 f. (Severoli); *ibid.*, pp. 477 f. (Massarelli III); VOL. v, p. 3 (acts); VOL. x, pp. 373 f. (legates' report); VOL. II, p. 379 (Pratanus). On Cervini's class of 11 February 1546 see VOL. v, pp. 4-7.

programme. They promised themselves a considerable easing of the conduct of the Council from this grouping of its members into three relatively small discussion-circles, for while they themselves were able to proceed in accordance with a common plan, the opposition was divided and a single opponent, however skilful, would not carry the same number with him as in a general congregation.<sup>1</sup> By a free exchange of opinion a more thorough examination of problems was rendered possible. On the other hand it could hardly be denied that in this way the proceedings would be further dragged out since in the particular congregations the discussion turned on the identical subjects that were to be treated in the general congregation. Cardinal Farnese accordingly openly declared that he saw no advantage in the new arrangement. A number of members of the Council shared his opinion and would have preferred the formation of a commission for each of the several tasks the Council had to deal with.

In the composition of these classes<sup>2</sup> the legates had carefully seen to it that their followers and their opponents should be pretty evenly balanced and that the men from beyond the Alps should not preponderate. Thus Cervini's group comprised—besides Pacheco, who as a rule had himself replaced by the Franciscan Alfonso de Castro—the Spanish Bishops of Palermo, Astorga and Castellamare, as well as the Archbishop of Aix, who was the spokesman of the French, but the legate had the support of such excellent prelates as the Bishops of Feltre and Fano and of the general of the Augustinians, Seripando. Del Monte had taken Madruzzo into his class—before long the latter went over to that of Pole—as well as those two difficult characters, the Bishops of Fiesole and Chioggia, but he had carefully reinforced his adherents (the Bishops of Matera, Bitonto, the auditor Pighino, and Severoli) by the Dominican theologians Ambrosius Catharinus and Domíngo<sup>3</sup> Soto. The English Cardinal Pole gathered around his person

<sup>1</sup> *C.T.*, VOL. I, pp. 378, l. 1; 385, l. 27; 392, l. 22; VOL. X, p. 378, l. 8; Saraceni's arguments, *C.T.*, VOL. X, p. 340, l. 8; Farnese's rejection, *ibid.*, p. 371, l. 30; Del Monte's apology, VOL. I, p. 28, l. 40; the proposals by Anonymous to proceed "per la via de deputati", instead of classes, VOL. X, p. 388, l. 17.

<sup>2</sup> A comparison of the membership of the classes, *C.T.*, VOL. IV, p. 574 (2 February) and VOL. V, p. 38 (23 March) shows that several changes of personnel were made, e.g. Madruzzo passed from Del Monte's class to that of Pole. Moreover from the very beginning Del Monte's class included theologians who had no vote (according to *C.T.*, VOL. I, p. 489, l. 27 they were Ambrosius Catharinus and the Minorite Hieronymus Lombardellus). It is important to note this. In a conversation with Massarelli on 23 February, Pacheco suggested that yet more theologians, especially Spanish and French ones, should be admitted—men like Carranza, Castro and Richard of Le Mans, *C.T.*, VOL. I, p. 489, l. 25.

the bishops of northern Europe, those of Upsala, Armagh and Worcester.

We can only get a very imperfect picture of the manner in which these classes functioned because Cervini alone had a record of the negotiations drawn up by his secretary Massarelli. What happened in the other classes we only learn from the summary accounts in the general congregations. Only this much is certain—the particular congregations did not come up to the expectations that were entertained at the time of their introduction. They were given up at the end of two months.

The discussion of the canon of Scripture, which began in the general congregations of 12 and 15 February,<sup>1</sup> showed that there was a unanimous desire to take up the canon of Holy Scripture within the limits within which the decree of the Council of Florence of 4 February 1441 for the reunion of the Jacobites, had circumscribed it. Two questions were to be debated, namely, should this conciliar decision be simply taken over, without previous discussion of the subject, as the jurists Del Monte and Pacheco opined, or should the arguments recently advanced against the canonicity of certain books of the Sacred Scriptures be examined and refuted by the Council, as the other two legates, with Madruzzo and the Bishop of Fano, desired? The second question was closely linked with the first, namely should the Council meet the difficulties raised both in former times and more recently, by distinguishing different degrees of authority within the canon?

With regard to the first question the legates themselves were not of one mind. In the general congregation of 12 February, Del Monte, taking the standpoint of formal Canon Law, declared that the Florentine canon, since it was a decision of a General Council, must be accepted without discussion. On the other hand Cervini and Pole, supported by Madruzzo and a number of prelates familiar with the writings of the reformers and the humanists, urged the necessity of countering in advance the attacks that were to be expected from the Protestants by consolidating their own position, and of providing their own theologians with weapons for the defence of the decree as well as for the instruction of the faithful. However, their efforts were in vain; in fact Pacheco, who shared Del Monte's view, proposed in the general congregation of 15 February to

<sup>1</sup> General congregations of 12 and 15 February 1546: *C.T.* VOL. I, pp. 30 ff. (Severoli); 478 ff. (Massarelli *III*); VOL. V, pp. 7-10; VOL. X, pp. 378 f., 382 f. For examples from Church history for the discussion of dogmas already defined, chiefly quoted by Cervini, see *C.T.*, VOL. I, pp. 479, l. 31, to 480, l. 18.

prevent any future discussions whether this or that book was part of the canon by adding an anathema to the decree, that is, by declaring it an article of faith. The discussion was so obstinate that there remained no other means to ascertain the opinion of the Council than to put the matter to the vote. The result was that twenty-four prelates were found to be on Del Monte's side, and fifteen (sixteen) on the other.<sup>1</sup> The decision to accept the Florentine canon *simpliciter*, that is, without further discussion, and as an article of faith, already contained the answer to the second question.

This question was not only a matter of controversy between Catholics and Protestants: it was also the subject of a lively discussion even between Catholic theologians. St Jerome, that great authority in all scriptural questions, had accepted the Jewish canon of the Old Testament. The books of Judith, Esther, Tobias, Machabees, Wisdom and Ecclesiasticus, which the majority of the Fathers, on the authority of the Septuagint, treated as canonical, Jerome described as apocryphal, that is, as not included in the canon though suitable for the edification of the faithful. In this opinion he was followed by Luther, but in the preface of his translation of the New Testament, Luther had gone further when he recommended that the reader "discriminate wisely between the various books and so decide which are the best".<sup>2</sup> These according to him, are the gospel of St John, the epistles of St Paul with the exception of Hebrews, 1 Peter and 1 John, but St James's epistle he describes as an epistle of straw—"Sankt Jacobs Epistel eyn rechte stroern Epistel", by comparison with the Pauline letters. In this question of the canon Luther was merely a pupil of Erasmus, who followed his beloved Jerome; but so did Cardinal Cajetan who, in his commentaries on the New Testament, had discussed the authenticity of the Epistle to the Hebrews, the Apocalypse and the short Catholic Epistles, and in doing so had erroneously identified authenticity with canonicity. The general of the Franciscans Observant, Calvus, dealt

<sup>1</sup> Severoli, *C.T.*, VOL. I, p. 32, l. 42, clearly shows that the result of the vote of 15 February relates to the addition of the anathema and not, as Massarelli endeavours to prove, *ibid.*, p. 480, l. 42, to the acceptance without discussion of the Florentine canon; above all, and contrary to what the acts, VOL. V, p. 10, ll. 1-6, seem to hint at, not to a distinction of various degrees of authority. Of a "private research" by individual Fathers of the Council for the purpose of confirming the Florentine canon, as had been recommended at the general congregation, VOL. I, p. 480, l. 44, one hears very little, but later discussions show that there was a real attempt to demonstrate the conciliar character of that decree, VOL. X, p. 399.

<sup>2</sup> Preface to the New Testament of 1522, *Luthers Werke*, W. A. Deutsche Bibel, VOL. VI, p. 10.

thoroughly with the problems raised by Cajetan in a tract drawn up for the purposes of the Council.<sup>1</sup> He defended the wider canon, and in particular the canonicity of the book of Baruch, the story of Susanna, that of Bel and the dragon, and the canticle of the three children (*Benedicite*). On the other hand, he refused to accept the oft-quoted *Apostolic Canons* as authoritative for the canonicity of the third book of Machabees. The general of the Augustinians, Seripando, on the contrary, was in sympathy with Erasmus and Cajetan and sought to harmonise their views with the Florentine decree on the ground that the protocanonical books of the Old Testament, as "canonical and authentic", belong to the *canon fidei*, while the deuterocanonical ones, as "canonical and ecclesiastical books", belong to the *canon morum*.<sup>2</sup> Seripando, accordingly, follows the tendency which had made itself felt elsewhere also in pre-Tridentine Catholic theology, which was not to withhold the epithet "canonical" from the deuterocanonical books, yet to use it with certain restrictions.

The tracts of the two generals of Orders show that opinions diverged widely even within the Council. The prestige of the Augustinian general and that of the Bishop of Fano who sided with him, may have prompted Cervini to discuss the whole complex question in his class. It became evident that no one supported the subtle distinction between a *canon fidei* and a *canon morum*, though it met with a somewhat more favourable reception in the general congregation of 12 February when several of the Fathers deemed it useful, though not necessary. The majority agreed with the opinion of the general of the Servites, that controverted theological questions, which had already been the subject of discussion between Augustine and Jerome, should not be decided by the Council but should be allowed to remain open questions. The result of the above-mentioned vote of the general congregation of 15 February committed the Council to the wider canon, but inasmuch as it abstained from a theological discussion, the question of differences between books within the canon was left as it had been. Massarelli, however, expressly affirms that the corresponding expression "with equal authority" (*pari auctoritate*) was not at that time given the force of a formal decree.<sup>3</sup>

<sup>1</sup> The tractate of Johann Calvus: *Apologia pro libris canonicis*, C.T., VOL. XII, pp. 473-83.

<sup>2</sup> Seripando's tract *De libris S. Scripturae*, C.T., VOL. XII, pp. 483-96; cf. Jedin, *Seripando*, VOL. I, p. 314 ff. (Eng. edn. p. 271 ff.).

<sup>3</sup> Massarelli, C.T., VOL. I, p. 481, l. 5, speaks of "*pari auctoritate*"; the legates' report has "*in pari grado et autorità*", VOL. X, p. 382, l. 30.

The assembly's standpoint, therefore, was that it was not necessary and not even useful, for the Council as such to defend the Florentine definition against certain modern opinions and to reinforce it with timely arguments.

Vastly different, however, was its position with regard to the question of Tradition which the Lutheran principle of "the Bible alone" eliminated as a source of revelation. On the other hand there is no denying that Luther accepted the creeds of the ancient Church as being in accordance with the Scriptures and to that extent set himself in the continuing dogmatic tradition of the Church—but with the reservation: "in so far as it conforms with the Scriptures". This characteristic he denied to the medieval expression of the Church's dogma and thereby deprived his original statement of all value. The fight against "tradition" as "human statutes" occupied a large place in his polemics. The decisive point was whether the Church—not a conceptual and invisible Church, but the Church as a concrete reality, in which he lived—was or was not guided by the Holy Spirit. Luther answered this question in the negative and by so doing deprived himself of the possibility of a genuine dogmatic tradition, for tradition without a bearer is unthinkable. As early as 1533 the theologian John Driedo of Louvain had understood this "active" tradition, in the sense of a handing on of the substance of the faith, as actually identical with the Church's authority. Any discussion of the principle of tradition was bound to lead to a discussion of the Church's authority, and this all the more surely as the fight against the "human statutes" in the Church—an attack based on the principle of the Scriptures—became more and more fierce. There was a danger of the difference between dogmatic tradition and the Church's institutions in regard to worship and discipline, which are based on her authority, becoming obliterated. In their reports of 7 and 11 February, as well as in the general congregation of 12 February, the legates always spoke impartially of "ecclesiastical tradition" and of the "tradition of the Church". Although from the first they had dogmatic tradition in mind, as we gather from the first of the two reports mentioned above, the formula in which they chose to express their view was all too calculated to give rise to misunderstandings. Their language was much clearer in the note which informed the members of the Council of the programme for the particular congregation of 18 February. The question, it said, was to decide now whether they should first discuss the "Apostolic Tradition" (in the singular), or the abuses which had crept into the use of Holy Scripture in the

Church.<sup>1</sup> In spite of this more precise statement there was talk once more in Cervini's class of traditions (in the plural), in fact the Bishop of Belcastro and the Franciscan theologian Alfonso de Castro who represented Pacheco at the meeting formally demanded that the ecclesiastical traditions should be included in the discussion. The Bishop of Fano proposed that to the decree about the canon of Scripture that was being planned an addition should be made to the effect that the Church receives "what is revealed by the Holy Ghost in the Scriptures and the traditions". This proposal and Cervini's concluding remarks were both calculated to drag the authority of the Church's teaching office into the debate. On the question of procedure, Cervini's class certainly decided for the priority of the debate about tradition before that of the abuses, and Del Monte's and Pole's classes probably acted in like manner. If some of those from beyond the Alps (Aix, Castellamare, and the Jesuit Lejay) urged the priority of the abuses, their arguments may have been inspired by a suspicion that, contrary to the order fixed in January, their discussion would be suppressed. Before submitting the problem of tradition—and the question of procedure—to the general congregation, the legates convened a conference of the theologians of the Council for 20 February. The Bishop of Astorga had very properly pointed out that they had to be called in the name of the Council, for the purpose of clarifying pending questions. The problem of tradition was a very complex one, but the deliberate dropping of a discussion of the problems connected with the canon did not wholly satisfy Cervini in particular. Originally the congregation of theologians of 20 February was only regarded as a first attempt to integrate the scholars present at Trent in the routine of conciliar business. In these congregations the theologians were to be the only speakers, the prelates' role was to be exclusively that of listeners and spectators, in order that they might grasp the trend of their problems. These men were given the title of *theologi minores*, not because they had less knowledge but because they were in a lower rank

<sup>1</sup> The variations in the description of the principle of tradition deserve the most careful attention: in *C.T.*, VOL. I, p. 30, l. 8; VOL. X, pp. 373, l. 15; 377, l. 35, there is question of ecclesiastical tradition, viz. the tradition of the Church. The *scheda* for the particular congregation of 18 February has "traditio apostolica", in the singular, *C.T.*, VOL. I, p. 481, l. 17; on the other hand, in the general congregation of 26 February, the legates use the plural, *ibid.*, p. 33, ll. 19 and 25, while the Bishop of Fano uses the term in yet another sense, VOL. V, p. 10, l. 30. Particular congregation of 18 February 1546: *C.T.*, VOL. V, pp. 10 f.; VOL. I, p. 33; VOL. X, pp. 386 f. In their letter to the nuncio at Venice, 13 February, Bibl. Ricci, 4, fols. 61<sup>r</sup>-62<sup>r</sup>, or, the legates thus describe their programme: "Perche nel Testamento nuovo non fù scritto ogni chosa, si fara mentione della traditione apostolica almeno in genere."



and were not numbered among the conciliar Fathers entitled to a vote. With one exception the twenty-seven theologians, who on 20 February met for the first time, were members of the five mendicant Orders. It would be an exaggeration to describe them as the *élite* of contemporary theologians, but the list contains famous names such as the Dominican Ambrosius Catharinus, whom the Pope himself had sent to Trent and whom we have already met in the capacity of conciliar preacher; the Dominican Bartolomeo de Miranda, better known under the name of Carranza, the future Archbishop of Toledo. The Franciscans were represented by their theological luminaries—Alfonso de Castro and Andreas de Vega, as well as by two members of the Sorbonne, Richard of Le Mans, guardian of the Paris convent, and Jean du Conseil (Consilii). The five Franciscans Conventual included the prolific theological writer Giovanni Antonio Delfino, while the three Augustinians were inspired by the superior genius of their general, Seripando. One of the two Servites present was the shrewd Lorenzo Mazochi who was to create so great a stir in the course of the debate on justification.<sup>1</sup>

It is impossible to ascertain which points of view decided the selection of the theologians. The likeliest surmise is that at least as far as the legates were concerned, no conditions for admission were laid down. We may presume that it was left to the generals of Orders to see to it that their respective Orders were appropriately represented.

<sup>1</sup> For the theological schools in general see H. Lennerz, "Das Konzil von Trient und theologische Schulmeinungen", *Scholastik*, IV (1929), pp. 38-53, with lists of adherents to different schools; *id.*, "De congregationibus theologorum in concilio Tridentino" *Gregorianum*, XXVI (1945), pp. 7-21. From the almost limitless literature on the participation of the Orders in the Council, more especially that of their theologians, the following may be mentioned: V. D. Carro, *Los Dominicos y el Concilio de Trento* (Salamanca 1948); A. Walz, "Elenco dei Padri e teologi domenicani nel Concilio di Trento", *Angelicum*, XXII (1945), pp. 31-9; *id.*, "Gli inizi domenicani al Concilio di Trento"; *Il Concilio di Trento*, I (1942-3), pp. 210-24, continued pp. 368-76, and II (1947), pp. 47-57. Franciscans Conventual: G. Odoardi, "I francescani minori conventuali al Concilio di Trento", *Il Concilio di Trento*, I (1942-3), pp. 298-311; II (1947), pp. 21-46; Franciscans Observant: G. M. Pouy y Marti, "I frati minori nel primo periodo del Concilio", *ibid.*, I (1942-3), pp. 201-10; A. Varesco, "I frati minori al Concilio di Trento", *Archivum Franciscanum hist.*, XLI (1948), pp. 88-160; B. Oromí, "Los franciscanos españoles en el Concilio de Trento", *Verdad y vida*, III (1945), pp. 99-117, 275-324, in book form, Madrid 1947. Hermits of St Augustine, D. Gutiérrez, "Los Agostinos en el Concilio de Trento", *Ciudad de Dios*, CLVII (1946), pp. 385-499. Carmelites: S. Seiger, "Carmelitae in Concilio Tridentino", *Analecta Ordinis Carmelitarum*, XXXIV (1944), pp. 147-66; Lucinio del SS Sacramento, "Los Carmelitas en Trento", *Verdad y vida*, III (1945), pp. 174-92; Gabriel a Virgine Carmeli, "Die Karmeliten auf dem Konzil von Trient", *Ephemerides Carmelitanae*, XXII (1950), pp. 291-359. For all the Orders represented at Trent, see P. Cherubelli, *Il contributo degli ordini religiosi al Concilio di Trento* (Florence 1945).

When at the beginning of March the legates decided to make of the congregations of theologians a regular institution which would be convened at least twice a month, Massarelli expressly notes that all the theologians then present at Trent were invited. It is true that among the acts of the Council we find an order for the admission to these congregations and their business procedure,<sup>1</sup> but one look at the list of those present suffices to show that it was not authoritative from the beginning. Thus, for instance, it presupposes the presence of a considerable number of theologians from the ranks of the secular clergy whereas among the theologians who spoke on 20 February there was only one secular priest, Juan Morilla, Cardinal Pole's chaplain. There was no obligation for the prelates entitled to a vote to attend the meeting, but "nearly all" made use of their right to do so.

The first congregation of theologians lasted over four hours, but we know next to nothing about its course. Since this was only a trial run the legates had given no instructions for a protocol to be drawn up, and as none of the participants has left any notes, Sarpi's interesting information on the statements of the Franciscan Lunello and the Carmelite Marinarius—in view of the notorious unreliability of that historian—is very much in the air.<sup>2</sup> However, at the beginning of the second congregation of theologians, on 8 March, Del Monte assured those present that their first public appearance had given the bishops the greatest satisfaction.

But even the congregation of theologians did not definitely clarify the concept of tradition; if it had done so it would be even more

<sup>1</sup> *C.T.*, VOL. XII, p. 451. According to Massarelli, *C.T.*, VOL. I, p. 510, l. 12, "omnes theologi ordinum caeterique doctores, qui in hac civitate praesentes sunt", were invited to the assembly in the great hall of the Palazzo Prati. Though Seripando's note on the conference of the generals of Orders on 9 February, *C.T.*, VOL. II, p. 432, l. 25, gives no details, it is not unreasonable to surmise that the plan for congregations of theologians was discussed. This was actually objected to by some members of the Council; it would be better, it was said, if the theologians gave their opinion only in writing: "altri dissono che era meglio havere li pareri loro in scritto et poi examinarli tra loro prelati", *Avviso* from Trent, 13 February 1546, State Arch. Florence, *Med.* 2966, fol. 162.

<sup>2</sup> Theologians' congregation of 20 February 1546: *C.T.*, VOL. V, pp. 11 f.; VOL. X, p. 394, l. 44. For Sarpi's account see S. Ehses, "Hat P. Sarpi für seine Geschichte des Konzils von Trient aus Quellen geschöpft die jetzt nicht mehr fließen?" in *H.J.*, XXVI (1905), pp. 299-313. Ehses's arguments to prove that Sarpi invented the votes of Lunello and Marinarius, taking the material from the votes of Alfonso de Castro in the particular congregation of 18 February, and that of the Bishop of Chioggia in the general congregation of the 26th, are not cogent; cf. H. Jedin, *Das Konzil von Trient, Ein Überblick über die Erforschung seiner Geschichte* (Rome 1948), pp. 83 ff.; see also CH. XIV below.

difficult to understand how in the particular congregation of 23 February,<sup>1</sup> the Bishop of Pienza could speak of the possibility of including "ceremonies" in the concept of tradition and that even Alfonso de Castro could have suggested the addition to the decree on Holy Scripture of the following clause: "Besides these holy books many more things must be received that are not set down in writing but which are observed in virtue of the Church's authority."

The Jesuit Lejay, who had a consultative voice in his capacity of proctor of the Cardinal Archbishop of Augsburg, must be credited with the merit of preparing the way for a sharp distinction between dogmatic traditions (*quae ad fidem pertinent*) and all the others. In his concluding remarks Cervini accordingly underlined the fundamental significance of this distinction but added yet another observation occasioned by the course of the debate. The Bishops of Sinigaglia, Castellamare, Belcastro and Astorga had expressed a wish that the number of the apostolic traditions should be counted or that at least a few of them should be mentioned by name. The jurist Campeggio immediately uttered an urgent warning against such a course and Cervini gave him his support, on the ground that here there was question of the principle of tradition—which dogmas rested on it could only be decided when the Council began to discuss its definition.

The temptation to draw up a catalogue of the traditions, or at least to provide samples, or proofs of their existence, was actually very great. For two decades, with an appeal to the principle of "the Bible alone", both doctrine and worship had been altered in a reformational sense. Was it not advisable, nay was it not necessary, to produce concrete instances, if the principle of tradition was asserted? Present at the Council was a layman in theology, Count Lodovico Nogarola, of Verona, an intimate friend of Cardinals Madruzzo and Gonzaga and who, thanks to the former's influence had actually preached before the Council on 26 December 1545. This lay theologian submitted to the legates a dissertation entitled *Institutiones apostolicae* which was soon afterwards printed. It contained a list of no less than thirty-four apostolic traditions, including, for instance, the Apostles' Creed, the sign of the cross, the observance of Sunday, infant baptism, auricular confession, and so

<sup>1</sup> Particular congregation of 23 February 1546: *C.T.*, VOL. V, pp. 13 f.; VOL. I, p. 33; Massarelli's account, VOL. I, pp. 489 f., shows that the order of the day had been agreed upon at the legates' conference in the morning. For the legates' reports see *C.T.*, VOL. X, p. 395. The treatise in VOL. XII, pp. 522 f., *De traditionibus*, is probably by Lejay.

forth.<sup>1</sup> However, the count can hardly be blamed for mixing up dogmatic and disciplinary traditions, for even in the collection of passages from Scripture and the Fathers on the principle of tradition which Cervini had had read in his class, as well as in the tracts of the Bishop of Motula and the general of the Augustinians on the subject of traditions, all of which had been composed in those days, the frontiers between dogmatic and disciplinary, apostolic and ecclesiastical traditions were not sharply drawn.<sup>2</sup>

Conclusive evidence that even the legates only came to appreciate the problem as well as the bearing of the principle of tradition in the course of the debate is furnished by their report to Farnese, dated 21 February 1546,<sup>3</sup> in which they pose this alternative: should the discussion of the "unwritten tradition" be followed by that of the wide field of ecclesiastical traditions, particularly the authority of the canons of the Councils—that is, Should a theological methodology be built up? Or, once the formal dogmatic principle had been accepted (Creed, Holy Scripture and Apostolic Tradition), should they turn at once to the discussion of the articles of faith and the doctrine of the Trinity, creation, original sin, redemption and justification? A fortnight earlier they had not considered this possibility. If it were realised it would be an easy thing, in accordance with the decision of 22 January, to treat of dogma and reform side by side, though in that case there was the risk that the ecclesiastical traditions would prove a pretext for broaching the subject of the abuses at the Curia. The adoption of the second alternative would almost certainly lead to the discussion of reform being put on one side, at least for a time, for it could not be said that there were ecclesiastical abuses which were in any way connected with the dogmas of the Trinity and creation—quite apart from the fact that there was no controversy on these subjects. Rome would thus gain time in which to carry out the reform of the Curia, planned but put off again and again, and thus rid the Council of this apple of discord: a consummation the desirability of which Cervini had urged time and again. Their painful experience in January had taught the legates a lesson. They accordingly prayed for a prompt and clear answer to their question as well as

<sup>1</sup> H. Jedin, "Un laico al Concilio di Trento: il Conte Lodovico Nogarola", *Il Concilio di Trento*, I (1942-3), pp. 25-33, where the previous work of Druffel is taken into account, *see also* CH. XII below.

<sup>2</sup> Cervini's collection of examples in *C.T.*, VOL. V, pp. 14 ff., and the anonymous collection in VOL. XII, pp. 526 ff.; Seripando's tract, *ibid.*, pp. 517-21; that of the Bishop of Motula, *ibid.*, pp. 524 ff.

<sup>3</sup> The legates' report of 21 February 1546, *C.T.*, VOL. X, pp. 393 f.

some hint about the *tempo* in which the negotiations should be pushed forward.

In a second letter dated 24 February but which was only despatched together with the first, the legates were already able to report on the result of the particular congregations of 23 February. These meetings had led to an agreement on the formation of a decree-committee to be composed of two members of each class, one a theologian and the other a canonist. In this respect also the legates had learnt that it was advisable not simply to appoint a commission, but to leave the choice of its members to the Council. Acting on the proposals made in the three classes, the general congregation of 26 February<sup>1</sup> chose the Archbishops of Sassari and Matera from Del Monte's class, the Bishops of Belcastro and Feltre from Cervini's, and the Archbishop of Armagh and the Bishop of Badajoz from that of Pole. In the discussion which preceded the election nothing came to light that had not already been examined in the "classes". The Archbishop of Sassari insisted on the ecclesiastical traditions being reckoned with the apostolic ones, lest an impression should be given that they were being rejected, while the Bishop of Sinigaglia once more demanded the listing of individual traditions. However, the majority declined to adopt either of these suggestions. The only new thing was that the Bishop of Chioggia questioned the principle of tradition as such, in the sense in which the majority understood it; were not all doctrines necessary for salvation to be found in the Scriptures?—One almost imagines Luther speaking as one listens to this Italian bishop's earnest warning against putting the traditions—so irksome for the Christian people—by the side of Scripture. In any case a detailed discussion of the principle of tradition cannot be suppressed, as was done for the canon of Holy Scripture on the pretext of the Florentine definition.

It is astonishing that Giacomo Nacchianti's<sup>2</sup> bold speech was not

<sup>1</sup> General congregation of 26 February 1546: *C.T.*, VOL. I, pp. 33 ff. (Severoli); *ibid.*, pp. 493-7 (Massarelli *III*); VOL. V, pp. 18-21; VOL. X, pp. 398 f. The Bishop of Castellamare, like the Bishop of Astorga, complained of the slow progress of the negotiations in a letter to Cosimo dated 20 February 1546, State Arch. Florence, *Med.* 380, fol. 204<sup>r</sup>: "Andamos mui adagio." However, the slow advance was not deliberately brought about by the legates, or by Rome, as the Bishop of Castellamare suspected, *see C.T.*, VOL. X, pp. 407, l. 18; 413, l. 7; on the contrary, many among the Fathers felt that the election of the committee was premature. Thus the Florentine agent in Venice, Pandolfini, reported on 3 March, on the basis of information received by him: "pare loro che troppo si sia ito inanti et che si saria dovuto aspettare maggiore numero sopra tale decisione", State Arch. Florence, *Med.* 3966, fol. 176<sup>r</sup>.

<sup>2</sup> Giacomo Nacchianti, a native of Florence, like Bishop Martelli of Fiesole, had entered the famous convent of San Marco in 1518. In spite of Paul III's conflict with

immediately met by sharper opposition. Nacchianti had gone his own way while still a member of the Order of Preachers, before Paul III's favour raised him to the episcopate, to which, as a matter of fact, he was nothing but an honour on account of his zeal in administering his diocese. However, his vote of 26 February brought him into close proximity to the reformers without, for the moment, causing the unpleasant sensation that was to be expected. Cervini singled out for criticism only one point of the vote, the last one, because it contained a grave reflection on the acceptance by the Council of the Florentine canon, a measure taken without discussion. This action was based on the conviction that the Bull of Union for the Jacobites, in which the canonical books are listed, was a conciliar decision—regardless of its form—and as such was covered by the authority of the Council. It is true that already in the general congregation of 15 February the Bishops of Clermont and Cappaccio had declared that they were unable to find the alleged conciliar definition in their "books". We are in a position to state with considerable certainty what "books" these were. They were the two volumes of the acts of the Councils edited in 1538 by the Franciscan Friar Peter Crabbe, in which the acts of the Council of Florence were given on the basis of a Greek collection (by Bartholomew Abraham) and which, for that reason, terminated with the departure of the Greeks after the conclusion of the union, that is, after the seventh Session, whereas in reality the Council continued in Florence for another three years and on 26 April 1442, was translated to Rome. The objection of the two prelates was refuted at the time, though the refutation was not adequately substantiated. Nacchianti now took it up once more. His claim was that the text of the Bull confirmed its non-conciliar character since it did not contain the usual clause "with

the Order he enjoyed the Pope's favour and in 1544 was made Bishop of Chioggia, a city of the lagoons. Even before the opening of the Council he had created a stir by the statement that one must give more credence to the Scriptures than to the Church, *C.T.*, vol. x, p. 173, l. 37. His sharp opposition in the dispute over the title of the Council got his Tridentine host, Madruzzo, into an embarrassing situation. As a result of the incident to be related further on, he was compelled to leave the Council, in fact he even made the acquaintance of the Roman Inquisition. However, in spite of everything he managed to retain his diocese, which he administered with great zeal until 1569. Besides the printed *Opera* (2 volumes, Venice 1567), manuscript writings of his are found in the Vatican Library, *Vat. lat.* 4637-4640, 4657, 4663. Letters of his have been published by G. Vianelli, *Nuova serie de' vescovi di Malmocco e di Chioggia*, vol. II (Venice 1790), pp. 134-60; Earlier literature exploited by Buschbell, *Reformation und Inquisition in Italien* (Paderborn 1910), pp. 155-73; cf. also C. Fischer, "J. Nacchianti O.P., Evêque de Chioggia, et sa théologie de la primauté absolue du Christ", *La France Franciscaine*, xx (1937), pp. 97-174.

the approval of the sacred Council" (*sacro approbante concilio*). However, the remarks of the two prelates on 15 February had led the legates to look into the matter and Del Monte was now in a position to give an accurate account of what had happened, namely, the continuation of the Council of Florence beyond the seventh Session, and above all to provide a striking refutation of Nacchianti's assertion by producing the text of the Bull, for the clause which the latter had failed to find actually appeared in the Bull of Union, not, indeed, at the beginning but in the chief part which contained the definition (the *Dispositio*). More than that—the cardinal was able to boast of having seen the original text of the Bull which was kept in the Castle of Sant' Angelo. With a view to removing every doubt about the authenticity of the clause which appeared in the printed edition of the *Corpus juris canonici*, by displaying the original, Cervini requested his Roman friend Maffeo to forward to him either the original text of the Bull or a duly authenticated copy of it.<sup>1</sup> His request was met at the end of March, but this effort to justify the proceedings of the Council by the irrefutable evidence of documentary proof proved to be the cause of the loss of the original text of this document.<sup>2</sup>

More vexation than excitement was caused in the general congregation of 26 February when that obstinate critic, the Bishop of Fiesole, complained that the Council did not stand by its own decisions since it did not deal with the abuses at the same time as with the traditions. The Bishop of Bertinoro reminded him that the priority of the traditions had been expressly approved in the particular congregations of 18 February. However, he was not the only one to find fault with procedure for the Bishop of Astorga observed that he was sorry to fritter away time on matters of minor importance—the question of the traditions might be handed over to a committee! This was surely to misjudge completely the whole bearing of the debate. Del Monte, however, took advantage of the occasion thus offered, not indeed to deny the slowness of the course of business, but to lay the blame for it on those prelates who, even when they had nothing new to say, would not refrain from repeating what had been said so often. Even the technique of a conciliar debate was something one had to learn. Or should the legates have interrupted such speakers, or even laid down a time-limit

<sup>1</sup> The dispute about the Council of Florence, *C.T.*, VOL. I, pp. 480, l. 38; 495 f.; VOL. V, pp. 18 ff.; VOL. X, pp. 399 f.

<sup>2</sup> The original text of the Bull, which according to Cervini had been at Aquila, arrived at Trent together with other despatches of 28 March, *C.T.*, VOL. X, p. 428, l. 32; VOL. I, p. 526, l. 3.

for their speeches? In that case the rumour that the Council was not free would have been bruited throughout every land.

The result of the general congregation of 26 February was that the deputation charged with the drafting of a decree on Scripture and Tradition could enter upon its task. The Council was thus able to turn its attention to the third point of its provisional programme, namely the abuses connected with Holy Scripture. The theme was one of the highest actuality. The study of the original languages of the Bible had been given an extraordinary impetus by Erasmus's Greek New Testament, by the Complutensian polyglot Bible, as well as by Lefèvre, the humanists and the reformers, and had led to lively criticism of the Latin translation in use in the Church, that is St Jerome's Vulgate. Erasmus had himself set a precedent by his edition of Valla's annotations to the New Testament and by adding a new Latin translation to his Greek New Testament. Others, such as Oslander, Petreius, Pellican, had followed his example, and not only the reformers; thus, for instance, the Dominican Santes Pagninus had translated both Testaments from the original text into Latin (1528), the librarian of the Vatican Library, Augustinus Steuchus had corrected the Old Testament in accordance with the Hebrew text—the *hebraea veritas* of St Jerome (1529); and the Benedictine Isidorus Clarius had published an edition of the Vulgate of both Testaments revised in the light of the original text (1542). Criticism of the Vulgate, largely justified though it was, roused its adherents to its defence, as for instance the Franciscan Richard of Le Mans, whose *collationes* on the psalms were printed together with the Paris edition of Peter Lombard's commentary (1541). This criticism was not without consequence for controversial theology for quotations from it were rejected by the opponents who appealed to the original text.

Differences of opinion were even more sharply marked with regard to the translation of the Bible into the vernacular: there was no uniform practice in the Church in this respect. In England, since the days of Wyclif, such translations were strictly forbidden. In Germany, before Luther's time, there existed no less than eighteen printed translations of the whole Bible into German. Luther's translation of the New Testament from the Greek (1522) saw nearly one hundred editions in one decade, and his complete Bible, finished in 1534, had become immensely popular and could not be displaced by the Catholic versions of Emser, Eck and Diätenberger which, it must be admitted, could not be ranked with Luther's as regards language and style. The translation



of the Bible into the language of the people had actually become the pace-maker of the Lutheran reform. It was for this reason that it had been forbidden in France both by the Church, at the provincial Synod of Sens (1528) and by the secular authority, that is by the Parliament of Paris (1543). In Spain a prohibition of this kind had existed since the reign of the Catholic kings. When Antonio Bruccioli published an Italian translation of the Bible at Venice, in 1532, Ambrosius Catharinus expressed his astonishment that such a book, which clearly betrayed the influence of Martin Bucer, could be printed and sold in Italy.<sup>1</sup>

Biblical science in transition, the reading of the Bible—a burning problem in the Church's life—this was the background of the reform-debate which opened with the particular congregations of 1 March. The significance which the Fathers of the Council attached to it from the first may be gathered from the fact that a number of them came to the meeting armed with carefully prepared manuscripts.<sup>2</sup> In Cervini's class the Bishop of Aix, who was the first to speak, outlined four main spheres of debate. In view of the newly published Latin translations he demanded: (1) an emendation of the Vulgate, based on the Hebrew and Greek original texts which, if possible, should likewise be offered in corrected editions, but old Latin translations must also be consulted. (2) The right interpretation of Holy Scripture was to be the task of ecclesiastical authority and of properly trained teachers. (3) The printing of the Bible must be carefully watched by ecclesiastical authority, and the question whether translation into the vernacular is permissible must be gone into. (4) The ministry of preaching must undergo a radical reform. Here was a vast programme, but as if this were not enough, the Bishop of Feltre broached yet another question, that of the reform of those liturgical books by means of which, day by day, the Church experiences the power of the word of God in herself. The reformed Breviary of Cardinal Quiñonez, the so-called Santa Croce Breviary, was gaining ever more ground, not merely because it was

<sup>1</sup> For a preliminary orientation on the new Latin translations and the vernacular Bible, see *R.E.*, vol. III, pp. 36 ff., 59 ff.; *L.Th.K.*, vol. II, pp. 303 ff., 323 ff.; Maichle, *Dekret*, pp. 3-21. I am not taking into account Ambrosius Catharinus's tract, *An expediat scripturas in maternas linguas transferre*, printed in 1552, because it is not certain that it was drawn up before 1546; cf. Schweizer, *Ambrosius Catharinus*, p. 135. T. M. Centi, "L'attività letteraria di Santi Pagnini nel campo delle scienze bibliche", *A.F.P.*, xv (1945), pp. 5-51. For Höpfl's and Allgeier's works on Sirleto and Richard of Le Mans, see p. 52, n. 1.

<sup>2</sup> Particular congregation of 1 March 1546: *C.T.*, vol. I, pp. 500-7—much fuller than the acts in vol. v, pp. 21-7; Severoli, *C.T.*, vol. I, p. 35, only gives a list of the subjects discussed; the legates' report, vol. x, p. 403, l. 8.

shorter than the Roman Breviary, but likewise because it met an aspiration which the general of the Augustinians summed up in the axiom: "In Missal and Breviary none but the words of Holy Scripture." Seripando moreover demanded that preachers should be prepared for their work by a better training in Biblical exegesis. When he spoke thus, Seripando countered, without naming him, the attack made by the Bishop of Bertinoro, who had spoken before him, on the philological and literal interpretation of Holy Scripture.

In other ways also divergences made themselves clearly felt even thus early. Thus the Bishop of Feltre declared that there could be no objection to the existence, side by side, of several Latin translations on the ground that some were freer while others kept more closely to the text; but Cervini's last words were to the effect that their aim was an approved Latin Bible, revised on the basis of the original languages. On the other hand he readily took up the Bishop of Feltre's suggestion with regard to the reform of Missal and Breviary and even admitted that the pericopes were in need of revision. It goes without saying that a humanist like Cervini would associate himself with Seripando's insistence that an explanation of Holy Scripture should first be sought in Scripture itself (*ex ipso sacrorum librorum fonte*), and only when this had been done should the explanation of the Fathers be appealed to. But the divergence on the subject of translation of the Bible into the language of the people threatened to assume dangerous proportions. The Bishop of Feltre had deprecated it, while the Bishops of San Marco Belcastro and Astorga demanded it all the more vehemently. Cervini proposed the formation of two commissions, one for the study of all questions connected with the training of preachers and the faculties to be imparted to them. Some theologians might also be admitted into this commission. It was to be foreseen that considerable time would be required for the execution of its task. The second commission's task would be to draw up with all possible speed a list of the more serious abuses in the ministry of preaching which could serve as a basis for a conciliar decree. There can be no doubt that Cervini saw the first commission as a study-group whose work would have far-reaching results and which would formulate his own and Seripando's ideas on the place of Scripture in theology and in the pulpit in concrete proposals, whereas the second was to further the demands of the moment, namely the preparation of the reform decree for the forthcoming Session.

The first proposal was simply passed over, but not even the second met with unanimous acceptance. The Bishop of Sinigaglia as well as

the Bishops of Feltre, San Marco, Motula and Astorga desired a reversal of the order, namely, first the listing of abuses, with the co-operation of all the bishops, then the appointment of a commission and finally a debate. It was evident that their intention was to broaden the original basis of the debate and to prevent the exclusion from the discussion of certain groups of questions. Even the legates were surprised by the great complexity and the bearing of the problems that had been raised. In their report to Rome they admitted that many more abuses had been brought to light than they had expected. In a conference held on 4 March they decided to propose to the general congregation the formation of a deputation which would draw up a catalogue of existing abuses and submit proposals for their suppression. The short general congregation of 5 March<sup>1</sup> took the appropriate decision. The choice fell on the Archbishop of Aix, the Bishops of Astorga, Castellamare, Sinigaglia, Cava, Fano and Bitonto, and the general of the Augustinians, Seripando. Three theologians were adjoined to these eight prelates, namely the Spaniard Alfonso de Castro, the Frenchman Richard of Le Mans and the Italian Ambrosius Catharinus. The members of the committee entered upon their labours only after all the theologians present at Trent had spoken in two congregations held on 8 and 9 March, and presumably they made use of the manuscripts of at least some of the theologians in the execution of their task. They submitted the result of their meetings, held between 11 and 13 March at the residence of the Bishop of Fano who had fallen sick, to the general congregation which was twice postponed, the first time in order to await the arrival of the imperial envoy, Francisco de Toledo (15 March), and then because Del Monte had been taken ill (16 March), but which was eventually held on 17 March.<sup>2</sup>

Their report singled out four abuses and proposed four corresponding remedies. (1) The first abuse, we read—and the wording betrays

<sup>1</sup> General congregation of 5 March 1546, *C.T.*, VOL. I, pp. 35 f. Massarelli corrects the statement of *Diarium III* that Ambrosius Catharinus and Richard of Le Mans were the only ones appointed to the second commission, *C.T.*, VOL. I, p. 509, l. 26; in the acts, VOL. V, pp. 27 f.; the same names occur in the legates' report of 7 March, VOL. X, p. 411, l. 35—For the congregations of theologians on 8 and 9 March we have only the short notices in *C.T.*, VOL. I, p. 510; VOL. V, p. 28; VOL. X, p. 413, l. 9. The theological dissertations in Cod. Ottob. lat. 620, mentioned by Ehses, *C.T.*, VOL. V, p. 28, n. 2, have been published in the meantime, at least in part, in *C.T.*, VOL. XII, pp. 509-17; the last two are certainly votes of the theologians' congregation.

<sup>2</sup> General congregation of 17 March 1546: *C.T.*, VOL. I, pp. 36 ff., 514; the report of the commission in the acts VOL. V, pp. 29 f., was regarded as harmless by Maffeo, VOL. X, p. 433, l. 28. Cervini's report, *ibid.*, pp. 421 f., shows that already Pacheco was demanding not only a prohibition of the Bible in the vernacular, but likewise an examination of all exegetical writings by Catholics: he was obviously aiming at Erasmus.

dependence on the formulas of the theologian John Driedo of Louvain—is that lectures, disputations and sermons are based on different versions of the Scriptures. This abuse will be removed if the Council declares the Vulgate to be an authentic text, though without prejudice to the authority of the Septuagint or a depreciation of other editions in so far as they contribute to a better understanding of the Vulgate. (2) But since it is not to be denied that the Vulgate has come down to us in a faulty condition, the Council should request the Pope to see to the production of an emended text of the Vulgate and also, if possible, of the Greek and Hebrew texts of the Bible. (3) Neither the public nor the private interpretation of Holy Scripture can be left to individual good pleasure; on the contrary, this interpretation must conform to the Church's interpretation and the unanimous consent of the Fathers. (4) The printing and sale of Bibles and Biblical commentaries is subject to a previous examination either by the Pope, or by the metropolitan assisted by two suffragans, or by the ordinary, and in the case of religious, permission of their superiors is also required. Anyone selling or having in their possession unapproved Bibles is liable to the same fines as the printer of such books.

If one compares this committee-report with the discussion in Cervini's class on 1 March, one is at once struck by the fact that its members put completely on one side several of the numerous questions which had been broached at this time, such as the reform of the liturgical books, but above all that they took the greatest care not to touch the burning question of the translation of the Bible into the vernacular, for this is what the question had proved to be in the meantime, especially after Pacheco's theologian, Alfonso de Castro, had subjected it to a detailed examination in the congregation of 9 March when his decision was undoubtedly an unfavourable one. In his book *Adversus haereses*, de Castro speaks of the vernacular Bible as "the mother and origin of heresies". Pacheco threw himself at once into this breach and asked what had become of the prohibition of the translation of the Bible into the vernacular. Madruzzo rose after him and earnestly dissuaded the Council from such a prohibition. The divergence was so sharply marked that the legates deemed it advisable not to continue the debate on the report but to leave it to the particular congregations in which, moreover, the draft of the decree on Scripture and Tradition was to be considered.

Before this, however, they made an attempt to win Pacheco over to their side and to persuade him to consent to the postponement of the

controverted question. On 22 March Massarelli was told to call on him and to tell him that the dispute between the two cardinals had made an exceedingly bad impression, especially upon the latest arrivals. So sharp was the divergence between the parties that any majority decision would only embitter the minority, and what was worse, such a decision could not be given effect in countries where a contrary practice prevailed. Spain and France would not submit if translation was permitted in virtue of the authority of the Council, while contrariwise Germany, Italy and Poland were not likely to agree to a prohibition of the vernacular Bible.<sup>1</sup>

These arguments completely failed to impress Pacheco, and Massarelli was not the person who could convince a man of so independent a character as the Spanish cardinal. The newly-arrived prelates, he replied, would quickly perceive that there was no personal hostility between him and Madruzzo, but that they differed on a practical question which it was imperative to ventilate. There was no doubt that the prohibition of a vernacular Bible would command a majority. An overwhelming majority of Spaniards and Frenchmen, as well as many Italians, would decree it, and this conciliar decision, inspired by the Holy Spirit, would be obeyed in the Church—at least in Spain. Where they would be led to if Holy Scripture were to be put in the hands of Tom, Dick and Harry was clearly shown in Germany; and had not the 150 doctors of the Sorbonne also pronounced in favour of the prohibition?

There was something to be said for this reasoning. On the other hand it was impossible to give effect to the compromise which Pacheco proposed at the end of the conference, namely that in countries in which the practice of reading the Bible in the vernacular had come to stay, the translation of certain books, such as the Psalms, Proverbs, the Acts of the Apostles, might be conceded, but not that of the Epistles of St Paul and the Apocalypse. However, a partial prohibition of this kind would only have made matters worse. In any case Pacheco insisted that the debate could not be limited to a discussion of the committee-

<sup>1</sup> Massarelli at Pacheco's house: *C.T.*, VOL. I, pp. 518 ff. De Castro's standpoint in *Adversus haereses*, I. I. c. 13 (*Opp.* I, 81). Audet and the two Franciscans Castelloneus and Lunello also number the vernacular Bible among the abuses, *C.T.*, VOL. XII, pp. 511; 512, l. 24; 516, l. 7. On the attitude of the Spaniards, see the papers by J. Enciso on the Spanish prohibitions of the vernacular Bible: *Estudios biblicos*, III (1944), pp. 523-44; also M. Revilla, "La controversia sobre las versiones vernáculas de la Biblia en el Concilio de Trento", *Religión y Cultura*, x (1930), pp. 88-104; F. Cavallera, "La Bible en langue vulgaire au Concile de Trente", *Mélanges E. Podechard* (1945), pp. 37-56. For Ehses's earlier work see below, p. 83, n. 1.

report—the controversy about the vernacular Bible must be fully thrashed out. However, the legates stuck to their plan for circumventing such a debate and on Del Monte's initiative they made a last-minute change in this sense in the order of the day for the particular congregations of 23 March. It contained three points: (1) the draft of the decree on Scripture and Tradition; (2) the committee-report about abuses; (3) an extension of the task of the second committee so as to include the drafting of a decree. Time was getting short. For weeks congregations had been held at prolonged intervals and the time-limit of the session was steadily drawing nearer.

In Cervini's class <sup>1</sup> the two members for the drafting of the decree on Scripture and Tradition, the Bishops of Feltre and Belcastro, had no light task. Although the committee had been formed as early as 26 February, it had not been able, up to 17 March, to agree on one draft, but had submitted two, both of which were so unsatisfactory that the legates put at their disposal a third text, drawn up by themselves, and this they accepted. It had been submitted to the members of the particular congregations for their inspection, but no written copies were handed out on account of the legates' fear that it might come into the wrong hands and get published prematurely. The result was that the Bishop of Castellamare complained that he had only read the draft very hurriedly, hence he was not in a position to express an opinion on it. The grievance was a just one. Cervini promised for the future to allow copies of conciliar proposals to be made, on condition that they should not be sent outside. In this way it became an established custom for the bishops' secretaries to obtain copies of the agenda from the secretary of the Council previous to the assembly of the congregation. That Cervini's condition was not strictly complied with is proved by the numerous conciliar correspondences that we possess.

The draft of the "Decree on the acceptance of the Holy Scriptures and the Apostolic Traditions" of 22 March stated that the glad tidings

<sup>1</sup> Particular congregation of 23 March 1546, *C.T.*, VOL. I, pp. 521-8; VOL. V, pp. 31-8; the anonymous vote printed in VOL. XII, p. 536, is of the same date, or of 27 March; VOL. X, p. 432; W. Koch, *Der Begriff traditiones*, pp. 194 ff. Draguet, in his above-mentioned study in *Miscellanea De Meyer*, pp. 836-54, has shown that decisive formulations of the Vulgate decree (e.g. *pro authentica, in publicis lectionibus, disputationibus*) were taken from John Driedo's work *De ecclesiasticis scripturis et dogmatibus* (1533), probably through the intervention of Seripando whose *Collecta de libris sanctis*, of which I made use in my *Seripando*, VOL. I, pp. 325 f. (Eng. edn. p. 283), contains extracts from Driedo's work. For the origin of *partim partim* in the draft of the decree on Scripture and Tradition I have drawn on J. R. Geiselmann's "Das Missverständnis über das Verhältnis von Schrift und Tradition in der katholischen Theologie", *Una Sancta*, (1956) pp. 131-50, esp. 132 ff.

of Jesus Christ promised in the Old Testament "are contained partly in the Sacred Scriptures, and partly in the unwritten traditions which the Apostles received from Christ's own lips or which, under the inspiration of the Holy Spirit, were by them, as it were, passed down to us from hand to hand. Following the example of the Fathers, the Council receives with the utmost reverence as holy and authentic all the books of the Old and New Testaments, since the one God is the author of both, as well as the traditions which proceeded either from Christ's own mouth or from the Holy Spirit and have been preserved in the Catholic Church by an unbroken succession of the ministry, and to which is due the same loving adhesion [as to the Holy Scriptures]." The Council further declared that these twin sources of revelation would be the basis of the dogmatic definitions and the reform of morals. There follows a catalogue of the books of the Old and the New Testaments and, finally, transgressors of this canon are threatened with anathema.

Criticism began with the passages which had already been subjects of controversy in the previous debate. Once again the question arose whether it would be possible to omit all mention of ecclesiastical traditions in addition to the apostolic ones, without risking the depreciation of the former. The Bishops of Sinigaglia, Fano and Bertinoro felt that it had not yet been made sufficiently clear that not all apostolic traditions were to be regarded as an essential part of Catholic dogma and placed on the same level as Holy Scripture, but only those which had been handed down without alteration by a constant tradition. "Can we threaten transgressors with anathema", the general of the Augustinians asked, "if the traditions are not enumerated?" But the weightiest objections came from the general of the Servites. Like the Bishop of Chioggia before him, he too denied the parity of Scripture and Tradition. The whole of the evangelical truth was contained in Scripture, not merely a part. The words "with equal loving adhesion" (*pari pietatis affectu*) could only refer to the parity of the written and unwritten traditions taken together, but not in association with Scripture. Finally he expressed a doubt whether it was right to appeal to the deuterocanonical books of the Old Testament in dogmatic definitions. In this way he took up once more the suggestion of Seripando and of the Bishop of Fano that, following St Jerome's precedent, only limited dogmatic authority should be ascribed to these books, a suggestion one might have thought already rebutted. The most important point of Bonuccio's criticism of the draft of the decree was his rejection

of the words—partly . . . partly (*partim—partim*). In his opinion the stream of New Testament revelation does not divide into Scripture and Tradition, as had been taken for granted by every speaker in the previous great debate—with the exception of the Bishop of Chioggia—but Scripture is complete as to its content and contains all truths necessary for salvation. For him “tradition” is essentially an authoritative interpretation of Holy Writ, not its complement.

Was this a Lutheran notion? By no means. It was but an offshoot of a doctrinal tradition which begins with Vincent of Lerins and is also found in scholastic theology “which was far from regarding truths handed down by mere oral tradition as a quantity existing in its own right and wholly independent of the revelation set down in the Bible” (Geiselmann). This explains why Bonuccio was not taxed with Lutheranism in spite of his opinion.

Eck, on his part, had made use of the expression *partim—partim* in his work on the Mass (1526) and this in connection with Ambrogio Traversari’s translation of pseudo-Dionysius (*De hierarchia ecclesiastica* c. 1). The formula seemed most appropriate for a refutation of the Lutheran principle “the Bible alone”, and what is more, it could be supported by a text in St John xxi, 25: “There are also many other things which Jesus did, which, if they were written, the world itself would not be able to contain the books that should be written.” There can be no doubt that though the majority of the theologians of Trent may not have approved the formula *partim—partim*, they approved the thing itself, that is, the statement that dogmatic tradition was a channel of revelation which supplemented the Scriptures.

Bonuccio failed to drive home any one of his objections and when he got into an altercation with the Bishop of Feltre on the question of the parity of Scripture and Tradition, Cervini enjoined silence on them both.

The fact that the debate on the second item of the order of the day, namely the report of the commission on the abuses connected with the use of Scripture, was less heated than that on the first, was due to the leader of the discussion, Cervini, who successfully prevented it from straying into other, more delicate spheres. These were not wanting. After drawing up its report, the commission had proceeded with its work when its Spanish members, above all the Bishop of Astorga, left no stone unturned in an effort to drag in the second, as yet undiscussed part of the report, namely the prohibition of a vernacular Bible, as well



as various other topics which, it was easy to foresee, would lead to heated discussion, such as the ministry of preaching, the obligation for bishops and the parochial clergy to preach, with the exception of religious, and, for good measure, even the duty of residence.<sup>1</sup> The Bishop of Fano had met the Spaniards with a counter-attack on the preaching of the Spanish *cruzada* and on the exercise by the Catholic kings of the right of nomination to Spanish bishoprics. Tensions, therefore, existed which might easily lead to an explosion; but nothing like it happened in the particular congregation of 23 March—its members kept strictly to the four points of the committee-report. But this too was not without its problems. “Why”, the Bishop of Motula asked, “are not the editions of the Bible other than the Vulgate accepted or rejected in plain language?” The Bishop of Belcastro felt uneasy about the imperfection of the Vulgate being officially acknowledged by the Council; the opposition would not fail to make the most of such an admission. The Archbishop of Palermo and the Jesuit Lejay urged the Council to take the revision of the Vulgate into its own hands instead of leaving it to the Pope, whom they could not possibly reduce to the rank of a corrector. The threat of a fine instead of an ecclesiastical censure against transgressors the archbishop described as unseemly.

The defence of the report against these criticisms was conducted with extraordinary skill by Pietro Bertano, Bishop of Fano. By his conduct on this occasion the bishop justified Madruzzo’s opinion of him—“The best brains I have ever met!”—when, at the end of January, after a short stay in his diocese he returned to Trent, considerably belated because all his luggage had been stolen in Emilia.

Bertano had been a member of the Order of Preachers. For a time he officiated as lector at Mantua. His lectures on the epistles of St Paul, which attracted a great number of hearers, as well as his role of theological adviser to Cardinal Gonzaga, revealed him as an enlightened theologian whose teaching met the demands of the age. Through the influence of the Cardinal of Mantua he was raised to the episcopal see of Fano in the Marches. The inter-related dynasties of Mantua and Urbino repeatedly used him as a mediator. The impartiality and the skill of which he gave proof in these difficult negotiations predestined him for an outstanding role at the Council and in the papal diplomacy and his friendly disposition towards the Empire made him a suitable mediator between Pope and Emperor. He was raised to the cardinalate

<sup>1</sup> Severoli’s report of 24 March, *C.T.*, VOL. X, p. 429, and Cervini’s, *ibid.*, p. 436.

in 1551 and in the conclaves previous to the year 1551 his prospects as a candidate for the tiara were of the brightest.<sup>1</sup>

"The Vulgate", he told the Bishop of Motula, "is declared authentic because it has been the Church's Bible for centuries; but this does not mean that all other translations, even those made by Protestants, are condemned out of hand, for the simple reason that much that is good can be found in them." Bertano was fully convinced of the necessity of a revision of the Vulgate, but even he had no adequate conception of the difficulty of such a task. Its faults, he thought, were only copyists' and printers' errors which it would be easy to eliminate by means of a comparison of the text with the manuscripts. It would be much easier for the Pope than for the Council—were it only on account of the expense—to procure these manuscripts and to secure trained men for the restoration of the text. If the threat of a fine had been substituted for that of a censure, the reason was that in these days it acted as a stronger deterrent than the threat of a censure, to the already excessive number of which no further addition should be made.

The third point of the order of the day, namely that on completion of its report, the second commission should also be entrusted with the drafting of a decree on the use of the Bible, was accepted without objection of any kind. In the general congregation of 27 March this task was officially committed to it.<sup>2</sup> On this occasion Cervini acted as

<sup>1</sup> For Pietro Bertano, Bishop of Fano, cf. the introduction to *Nuntiaturberichten aus Deutschland*, VOL. I, p. 11 (Friedensburg) and p. 12 (Kupke), Pastor, VOLS. V, pp. 662 ff.; VI, p. 318 (Eng. edn.: VOLS. XII, pp. 432 ff.; XIV, pp. 2 ff.). I may observe here that the *Avvisi* of Modena contain conciliar letters of Bertano to Cardinal Gonzaga. On the other hand Pandolfini, Cosimo's Venetian agent, had already learnt in February that the Bishop "molto confidente al Papa sei et per ordine di S.S. <sup>ta</sup> quelli R<sup>mi</sup> legati comunicarli del continuo tutto quello che hanno da Roma". The first part is true, the second very doubtful; he did not even get the see of Capua for which both Madruzzo and Cervini had recommended him in the most pressing terms, *C.T.*, VOL. X, pp. 466 f.

<sup>2</sup> General congregation of 27 March 1546: *C.T.*, VOL. I, pp. 38 ff.; 528 f.; VOL. V, pp. 39 ff.; VOL. X, pp. 434 f. The legates' opposition to the diffusion of copies of the decree-drafts is illustrated by a remark of theirs in a letter of 17 February to the nuncio in Venice, Bibl. Ricci 4, fol. 63: "C'è parso molto nuovo che in Venetia si stampino le chose di questo concilio senza almeno farne motto a V.S.R." The nuncio should request the Signoria to intervene. This directive was repeated on 25 February.—Bertano's misgivings about the draft of the decree are confirmed by the *Avviso* of 26 February 1546 from Trent (State Arch. Modena, *Avvisi* 3), which is really a letter from Bertano to the Cardinal of Mantua. In it the Bishop reports that on 25 February he had been called to the legates' conference, cf. *C.T.*, VOL. I, p. 493, l. 17, and that this gave him an opportunity to state his objections to the formulation of the principle of tradition as it was then planned. They are identical with the ideas which he propounded a month later in the general congregation of 27 March. In the *Avviso* we read: "Io feci un lungo ragionamento, mostrando loro che questo principio stabilito da noi si

president because Del Monte was suffering from such a violent attack of gout that on 17 March he made a first formal request for his recall. Here too the decree on Scripture and Tradition met with strong criticism. Madruzzo expounded the objections against the deuterocanonical books which had been mooted before, and there was a fresh demand for a list of particular traditions. For the last time Bertano, no less vigorous in attack than in defence (*acriter . . . impugnavit*), battled against those who would put the Scriptures and traditions on the same level. It was a fact that there were apostolic traditions which the Church had abolished, or which had somehow fallen into desuetude, such as Communion in both kinds, facing east at prayer, and so forth. Should the defenders of the decree urge that this state of affairs was being taken into account, for only such traditions would be accepted as had come down to our own days, the riposte would be immediate: "You yourselves have done away with them, hence you seek to justify your arbitrary action by means of a conciliar decree." Lastly, it was excessively harsh to threaten the transgressors of traditions with the same anathema as those who scorn the canon.

The Neapolitan Saraceni, who acted as spokesman of the first commission for Archbishop Sassari, who was unable to attend, was no match for Bertano as a defender of the decree. The Bishop of Bitonto,

potria gravissimamente noi stessi offendere, imperocche che sotto questo principio Germani potriano subsumere che la comunione sub utraque specie e il coniugio de' sacerdoti essendo elle tradittioni apostoliche, per questo principio sono ricevuti da noi in questo concilio, perche saremo sforzati o recantar o moderar il dogma di questa maniera che noi riceviamo le tradittioni apostoliche, ma di quel modo che sono dalla Chiesa usate. Alla qual moderatione non mancherà istanza, peroche se per la Chiesa noi intendemo l'universale Chiesa, essendo stata sempre diversa l'orientale Chiesa dall'occidentale nel uso di queste due tradittioni . . . , et l'occidentale Chiesa havendo in parte fluttuato sopra di cio, non potremmo modificar quel nostro decreto con l'uso della Chiesa universale, ma bisognara ridursi all'uso della particolare di Roma, la qual moderatione atteso il tempo, la malitia Germanica, sara con poca nostra dignita et molta loro derisione. Della qual moderatione ancor nasceriano molti inconvenienti. Et chosi con molte altre ragioni persoasi non esser da farsi cotal decreto."

If they wished to define a "dogma contrario al Germano" they must restrict themselves to laying down in the decree "che molte chose da Christo sono dette et dallo Spirito Santo successivamente insegnate molt'altre che non sono scritte nelle sacre lettere, alle quali indubitata fede si deve donar. Et chosi con questo piu alto principio noi comprendiamo tutte le chose vere apostoliche ecclesiastiche et (*read:* che) in qualunque maniera non sono scritte, et chosi si fuggono tutte le objectioni che dalle tradittioni apostoliche nasceranno, conservandossi parimente di poter dir a luogo per luogo: questa è verita per lo Spirito Santo nata et non scritta." The circumstance that Bertano only stated these views in the general congregation a month later is explained by the fact that he thought that after the general congregation of 26 February, his opinion had prevailed. "Hoggi nella congregazione generale s'è stabilito di far il dogma di quella maniera ch'io narro." The draft of 22 March, which originated with the legates, taught him that he was mistaken.

however, came to his rescue with arguments in favour of the parity of Scripture and Tradition, but he too desired a clearer formulation of the anathema. The commission had taken the passage from Gratian, who, on his part, had appealed to the seventh General Council, but there the wording differed and, as Seripando rightly objected, the meaning was likewise different.

For nearly seven hours the debate swayed this way and that and everybody was dead tired and, what was much worse, exceedingly dissatisfied. However, the general impression remained firm, namely that the decree needed to be improved though it was impossible to ascertain which of the Fathers of the Council, and how many, desired a definite alteration, for, unbelievable as it must appear, up to this time the leaders of the Council had neglected to take one of the most elementary measures to assure an orderly business procedure, namely, that of having minutes of the negotiations of the general congregations drawn up. The value of such records Cervini himself had recently realised in his own class in which, on his instructions, his secretary Angelo Massarelli had taken notes of the course of the discussion.

In the general congregation of 27 March, in which he presided as Del Monte's deputy, he probably employed Massarelli when it came to the listing of the proposed corrections (*dubia*), or he may have made use of the notes which Severoli, the promoter of the Council, was in the habit of taking for the purpose of reporting to Cardinal Farnese. His proposal that the next general congregation should give its vote on this written list of *dubia* without further discussion and by a simple Yes or No (*placet* or *non placet*) met with general approval. This incident also led to the definitive creation of the secretariat of the Council.

The drawing up of the minutes was not properly speaking one of the duties of the secretary of the Council; it was the proper work of the notaries, who, in point of fact, did exercise their functions in this session. The original conception of a conciliar secretary was that he should take charge of the correspondence of the Council; hence it had been intended to choose for this office some distinguished Latin stylist, such as had been employed in the papal secretariat since the beginning of the fifteenth century, beginning with Poggio and Bruni down to Bembo and Sadoletto. By reason of the elegance of his style and his wide culture, Ludovico Beccadelli of Bologna, the former secretary of Contarini, would have been equal to the most exacting demands. He had arrived at Trent on 24 April 1545, but in mid-August the legates

had sent him to Rome on a political mission and he had only returned to the city of the Council for a few days' stay. The poet Marcantonio Flaminio and the Venetian Priuli—both of them closely associated with Cardinal Pole—had declined the office, so that, for the time being, the Council was without a secretary. The legates' correspondence with the Curia was carried on by Cervini and Del Monte themselves, the clean copies being made by the former's private secretary Massarelli, and by Trifone Benci. It was inevitable that by degrees Massarelli should get so used to his work of a secretary to the College of Legates as to induce a hope that the office would definitely fall to him. In this expectation he was not disappointed, but he only became secretary to the Council when the need arose for someone who would draw up the minutes of the general congregations.

At this time Angelo Massarelli, a native of San Severino, in the March of Ancona, was in his middle thirties, but his intellectual formation was no match for that of Beccadelli and Flaminio, though as regards keenness and application to work not many could surpass him.<sup>1</sup> He left the university of Siena after seven years' study with a doctorate in both Laws, but he was neither an acknowledged stylist nor a trained theologian. Yet what was needed was precisely a theologian able to grasp the delicate distinctions of theological terminology and to record them accurately. Massarelli never completely filled this gap in his education. Notwithstanding the misgivings which were entertained from the first, on account of the narrowness of his mental outlook which in the last period of the Council led to real doubts about the accuracy of his reports, he retained his office of secretary of the Council in all the three periods of its sessions, even after he had become Bishop of Telese in 1557. No other man has done so much for the history of the Council as he, as the compiler of its acts and the author of seven diaries during that period—though these are of very unequal value. The first of April, he noted on the margin of his diary, was his lucky day. On that day, in 1538, he had begun his service with Aleander; four years

<sup>1</sup> Massarelli as conciliar secretary: *C.T.*, VOL. I, p. 532, and Severoli's opinion, *ibid.*, p. 41. In order to convince the reluctant president of his ability to make a protocol Massarelli submitted to him his detailed protocol of the plenary congregation of 23 March, *C.T.*, VOL. I, p. 528, l. 14. For all that, as late as 5 April, the legates still speak of him as the "vice-secretary", *C.T.*, VOL. X, p. 442, l. 27. Severoli says, not without sarcasm, that he was "pro secretario se gerens"—acting as if he were secretary, VOL. I, p. 43, l. 47.—For Massarelli's life see especially Merkle, *C.T.*, VOL. I, pp. lxxvii-cxx; also CH. XIV. Manelli's account-book, in G. Calenzio, *Doc. ined.* (Rome 1874), p. 10, shows that on 8 April Massarelli received a provision of 25 scudi by order of the legates, for services rendered by him as secretary since the opening of the Council.

later he was in the employ of Cervini, and now, on this same day, he had become secretary to the Council and scrutineer of the votes (*scrutator votorum*). In the sessions he accordingly officiated as a protonotary. The detailed account of the general congregation of 1 April proves how seriously he took his duties as a keeper of the minutes.

Yet another innovation took place in the same congregation. Up to this time the general congregations had begun at, or shortly before, two o'clock in the afternoon and had lasted throughout the afternoon. In their conference of 31 March—in view of the approach of the warmer season—the legates decided to hold the assemblies in the morning. This arrangement made it possible to open the meeting with the Mass of the Holy Ghost, which was all the more appropriate, as—in contrast with the Council of Florence and the fifth Lateran Council—the real work of the Council was done in the general congregation, not in the Sessions, which only retained an almost exclusively formal character. For a late-riser like Pacheco, and probably for many a member of the Council, this early hour meant a considerable effort (in April, according to Italian reckoning, 12 h. = 7 a.m.), but both Madruzzo and Francisco de Toledo welcomed the change, and Massarelli was not far wrong when he observed that, as a rule, men are less quarrelsome in the morning than after dinner, when they are made to forgo the customary period of rest.

The fourteen *dubia* of the last general congregation had been handed to all the Fathers on 29 March, but Del Monte, who presided once more on 1 April, did not strictly abide by the decision then taken of voting with a simple Yes or No, but allowed further discussions, though as brief as possible, of the subject-matter. In point of fact these were called for by the very wording of the *dubia*. Particular questions with regard to the canon of the Bible (2-5, 12) created no serious difficulties—for example, whether the longer conclusion of Mark, Luke xxii, 43 f., John viii, 1-11, should not be excepted; whether, for purposes of control, the number of chapters of each individual book should be given; whether the Apocrypha usually found in the editions of the Vulgate, namely 3 and 4 Esdras, and Machabees, should be expressly rejected or passed over in silence; whether the book of Psalms should bear David's name as its author. The main question, whether degrees of authority should be recognised, was taken as disposed of, as was the question whether traditions should be enumerated individually and whether the ecclesiastical ones should be included. However, the Bishop of Fano's arguments against the parity of Scripture and Tradition had made so profound an impression that this problem was taken up once more with

*dubia* 7 and 8 and the assembly considered the possibility of a grading-down between the doctrines derived from these two sources of revelation. The extension of the anathema against transgressors of traditions, especially the much criticised expression *violaverit*, was subjected to a fresh debate (*dubia* 9, 11).

When the debate came to an end it was possible, thanks to Massarelli's minutes, to form an accurate opinion of the point of view adopted by the Fathers of the Council to each individual question, on which the unequivocal attitude of the Council to the main problem was based. Thirty-three votes were in favour of the unqualified parity of Scripture and Tradition, eleven desired a toning down, that is, they wanted the word "equal" to be replaced by "similar". To these we may add the three votes which favoured the opinion that the traditions should be treated with respect. The threat of anathema against those who acted otherwise was supported by thirty-eight votes, but nearly as many, namely thirty-three, desired the suppression of the word *violaverit* which, in point of fact, did not appear in the decree. The concluding paragraph was recast: in its new form it defined more sharply the subjective preliminary condition for an anathema, which was to be inflicted by authority and not incurred *ipso facto*. Only those were to incur it who obstinately scorned the traditions (*contempserit pertinaciter*).

During the debate on the *dubia* in connection with the decree on the canon, there occurred an incident, small in itself, but of great significance because it bore on fundamentals. The second commission had received the list of *dubia* during one of its sessions and it had been agreed that they would adopt a common point of view about them. However, when the Archbishop of Aix was about to read out the agreed joint vote in the general congregation the Archbishop of Sassari, who presided over the first commission, raised an objection on the ground that it was not customary to give a collective vote, but that each member was bound to expound his own personal vote. By this action he recalled an unwritten but universally admitted principle, namely that at a Council the formation of any kind of party, which might even remotely issue in a sectional pressure, cannot be tolerated, for each member is exclusively responsible to his own conscience. Del Monte calmed the ensuing excitement (*clamor*) with an explanation of startling simplicity. It was self-evident, he declared, that every one must stand by his own view, but every member was likewise free to identify himself with the vote of another. Thereupon the Bishop of Sinigaglia declared that the collective standpoint of the members of the commission was his personal

vote and the other members sided with him. The vote, the text of which has been preserved, contains an important new formulation of the whole passage about the traditions, the acceptance of which is not demanded *pari* but merely *simili pietatis affectu*.

The latter part of the general congregation which had been devoted to the consideration of the decree about abuses ended in a verbal encounter between Pacheco and the Bishop of Fano and Madruzzo over the translation of the Scriptures into the vernacular tongues and the "corrupt condition" of the Vulgate. The Bishop of Fano, appealing to Christian liberty, boldly demanded toleration of other translations, even those made by Protestants. Pacheco condemned in impassioned terms translation into the vernacular, while Madruzzo defended it "with many arguments", the persuasive force of which was almost irresistible. If we forbid such translations, he argued, do we not act like the pharisees who hold the key to sacred knowledge but will not allow anyone else to enter? Can we snatch the word of God from the hands of the people who read it? When Pacheco and Alfonso de Castro go the length of maintaining that the reading of the Bible by the laity is the source of all heresies, how does their assertion square with the fact that the authors of the reformation—Luther, Zwingli, Oecolampadius, Melancthon and Bucer—were exceptionally well acquainted with the original languages of the Bible? If they could not forbid the study of the Bible in the original languages—a thing they had no intention of doing—why should the vernacular Bible be prohibited? Neither youth nor age, man or woman, noble or lowly, may be precluded from reading the Bible. That there were risks was not to be denied; but the danger could be countered by adding explanations of difficult passages and forbidding translations that had been tampered with or had not been approved.

The discussion threatened to become even sharper when Del Monte forestalled an impending counter-attack by Pacheco with the remark that no one, except the legates, was entitled to bring up for debate, matters that were not included in the day's programme. After that without any more ado, he rang the bell which was the signal to the escort of the prelates who waited outside that the meeting was over.

But Pacheco was not the man to be silenced so easily. In the general congregation of 3 April,<sup>1</sup> which was exclusively concerned with the "four abuses", he renewed his demand in the sharpest terms. "All

<sup>1</sup> General congregation of 1 April 1546: *C.T.*, VOL. I, pp. 40 ff.; Massarelli's *Diarium III*, *ibid.*, p. 532, from now onwards less informative; from now also the acts, based on notes taken at the time of the congregations, *C.T.*, VOL. V, pp. 42-51, as well as



translations other than the Vulgate, even the Septuagint, must be forbidden." Del Monte was careful not to interrupt him. Equally blunt and incapable of execution was Pacheco's next demand, namely that all clerics and laymen, with the exception of doctors of theology, should be forbidden to interpret Holy Scripture. Only with regard to the revision of the Vulgate did he agree with Madruzzo's opinion that a start should be made at the Council, and if possible before the declaration of the Vulgate's authenticity. What a delusion about the vastness of such an undertaking!

From the conciliar tractates we are able to gather how far precisely the views of the experts diverged on the origin and value of the Vulgate.<sup>1</sup> Not only was the authorship of St Jerome called in question and a distinction drawn between the Vulgate and St Jerome's translation, but the Bishop of Fano conceived the revision as no more than the removal of copyists' and printers' errors. Many wanted to see the Vulgate corrected on the basis of the original texts (*ad fontes ipsos*), while others set greater value on its text than on that of the original languages. Opinions also diverged widely about the value and authority of the Septuagint.

It is easy to see that this conciliar debate could not fail to lead to a more objective appreciation of the problem of textual criticism and to demonstrate the impossibility of giving effect to the proposal of the two cardinals.

The seriousness of these grave discussions was relieved by the Bishop of Chironissa and Melopotamos, in Crete, the Greek Dionisio de Zanettini, commonly known as Grechetto (the little Greek) on account of his small stature. The Bishop had only reached Trent on 29 March, but he caused considerable hilarity at his very first appearance at the Council.<sup>2</sup> He was undoubtedly a man of parts, but of an unstable and unaccountable character. A Franciscan, he had, as he himself put it,

six votes, pp. 54-8; short references in the legates' report, VOL. X, p. 441. Madruzzo's defence of the vernacular Bible printed in VOL. XII, pp. 528 ff., is undoubtedly the vote of 1 April, the text of which had already been printed by S. Ehses in "Das Konzil von Trient und die Übersetzung der Bibel in die Landessprache", 3 *Vereinsschrift der Görres-Gesellschaft für 1908* (Cologne 1908) pp. 37-50. The vote of the Bishop of Astorga, which shows the alteration in the text of the decree after 1 April, in C.T., VOL. V, p. 71, l. 5. General congregation of 3 April 1546: C.T., VOL. I, pp. 42 ff.; 532; VOL. V, pp. 58-67; only briefly mentioned in the legates' report, VOL. X, p. 441, l. 19.

<sup>1</sup> The treatises, nos. 65-67, have already been used by Höpfl, *Beiträge*, pp. 4-12; on the dispute about the author of the Vulgate, cf. Th. Freudenberger, *Augustinus Steuchus* (Münster 1935), pp. 160-80, and Jedin, *Seripando*, VOL. I, pp. 337 ff. (Eng. edn. pp. 295 ff.).

<sup>2</sup> For Dionisio de Zanettini, surnamed "Grechetto", cf. G. Buschbell, *Reformation und Inquisition*, pp. 36-60.

escaped from the "misery" of the religious life by the circumstance that the Archbishop of Cyprus had procured for him a miniature diocese in the Cyclades, and at a later date (1538), the twin dioceses of Crete. He spent most of his time at Venice or its neighbourhood and occasionally acted as auxiliary of Vicenza, but above all he succeeded in drawing the Curia's attention to himself by means of unsolicited suggestions about the union of the eastern Churches, and even more frequently by the denunciation of real or imaginary heretics. He had won Cervini's favour by his efforts in the acquisition of Greek manuscripts for the latter. Though he was a Magister in theology, the Council did not take him quite seriously. In his first speech he cheerfully declared that no good purpose would be served by transferring the censorship of printed Bibles from the Apostolic See to the bishops, since most of them knew nothing about these things, so that such an order would be like an omelette without salt and butter. General laughter greeted this sally, but the fact remains that the decree of the fifth Lateran Council (tenth Session, 4 May 1515), by which the censorship of books had been transferred to the bishops, had turned out to be a mistake, inasmuch as most of them were unequal to the task.

Del Monte had handled the discussions of 3 April in the grand manner. Much relevant work had been done, yet at the end of the debate the Bishop of Fano, the leading spirit of the second commission, announced his utter inability to elaborate the decree unless there was first a vote by simple Yes or No on the controverted points. Thereupon a relatively prompt agreement was arrived at on two points, namely that all anonymously printed books (of the Bible) should be prohibited and that one single edition of the Bible should be declared authentic—the others, including the Protestant ones, were to be passed over in silence. Former differences of opinion only reappeared when it came to the voting on the second question, namely whether one edition of the Bible in the various vernacular languages should be declared authentic? Should not at least one authentic text be produced in each of the three current Biblical languages, Hebrew, Greek and Latin? Madruzzo and nine other bishops answered the first question in the affirmative while Pacheco, with thirteen others, replied in the negative. Twenty-two Fathers declared themselves in favour of one authentic Latin version, and only a very few—among them the Bishop of La Cava and Seripando—favoured an authentic edition in all three languages. The result of this vote was not calculated to do away with the controversial questions since those twenty-two votes were indecisive on the

first question, which was also the most important one. Divergences arose anew when the question was put whether lay people could be permitted to produce commentaries of the Bible. A sharp contest ensued between Pacheco and Madruzzo; more than that, the fact could scarcely be disguised that the legates themselves were not of one mind in this matter. Del Monte inclined to Pacheco's view, while Cervini and Pole leaned to that of Madruzzo, hence the Cardinal of Trent called upon Pole to act as arbiter; but the latter felt obliged to decline, for had he complied with the request, the difference of opinion in the College of Legates would have ended by becoming common knowledge—one more reason, and probably the strongest of them all, why the legates sought to prevent a decision on the controverted point.

It wanted only a few days to the date fixed for the conciliar Session, yet neither of the two decrees that were to be published in it was in its final form. The first one, that on Scripture and Tradition, underwent a good deal of polishing in the general congregation of 5 April,<sup>1</sup> though most of the suggested alterations related to secondary points, such as the order of the Biblical books, the naming of their authors, but most of them were merely concerned with questions of wording. Even now the new formula of the anathema, decided upon on 1 April, did not satisfy everybody; thus the Bishop of Sinigaglia proposed that the words "let him be anathema" should be replaced by the formula "shall be put under anathema". In this way the threatened excommunication, which would evidently have been incurred automatically, would have become a penalty that could be inflicted. The really surprising thing was that the chief theological problem, the parity of Scripture and Tradition, was still regarded as unsolved. Four prelates, the Bishops of Castellamare, Fano, Bergamo and Chioggia, advocated once more the substitution of "similar" for "equal". This obstinate resistance in so weighty a matter would assuredly have been taken quite calmly had not the highly temperamental Bishop of Chioggia, Nacchianti, let slip an inconsiderate remark: "To put Scripture and Tradition on the same level", he said, "is ungodly" (*impium*). "Are we ungodly people?" the Bishop of Badajoz interjected indignantly. Nacchianti, unabashed by the interruption, repeated it only in more

<sup>1</sup> General congregation of 5 April 1546; *C.T.*, VOL. I, pp. 44-7; 533; VOL. V, pp. 69-72; VOL. X, p. 442, l. 22. Seripando, *C.T.*, VOL. II, p. 433, l. 5 describes the incident with Bishop Nacchianti as "magnus tumultus". Particular congregation of 6 April and general congregation of the 7th in *C.T.*, VOL. I, pp. 47 f.; 533; VOL. V, pp. 76-89; VOL. X, p. 444.

forcible terms: "Yes, I repeat it! how can I accept the practice of praying eastward with the same reverence as St John's gospel?" The excitement took such proportions that the president was forced to intervene. Freedom of speech, Del Monte declared, is not the same as freedom to give offence. Let Nacchianti apologise for the expression used by him. The latter now realised that he had gone too far and sought to attenuate the violence of his language. He had not meant to attack the persons of the majority of the Fathers of the Council, but only the doctrine they defended; the word he had used (*impium*) did not bear the offensive meaning in which it had been taken; it was not synonymous with "heretical"; its meaning was something like "without consideration" for persons entrusted to us, for instance, our parents. This doctrine showed no consideration for the faithful of the Church; it was a harsh measure because its formulation, as adopted by the Council, laid a most strict obligation on them to accept the traditions. Nacchianti gained nothing by this partial withdrawal. Del Monte insisted on a formal apology and Nacchianti offered it, but no one required him to recant his theological opinion. His explanation on the subject was unobjectionable from the Catholic point of view: "I cannot change my opinion", he said, "unless convincing arguments to the contrary are brought forward; this is my right as long as the decree has not been published in the Session and given force of law. If this is done I shall submit."

Nacchianti's aggressive gesture, which actually had the support of such excellent theologians as the Bishop of Fano, Seripando and Bonuccio, had a surprising sequel. At a conference with the committee members in the course of the afternoon of 5 April, to which the Dominican Ambrosius Catharinus was likewise invited, the legates yielded to the minority and replaced the "equally" of the decree by "similarly", even though the vote of 1 April had settled the question. In the particular congregations which were convened for 6 April, the whole subject was examined once more, with the result that the alteration had to be changed back again. For Bonuccio even the term "similarly" went too far. Only in the general congregation of 7 April was the decree finally approved. At this very latest moment *partim-partim* was replaced by *et-et*; thus the wishes of the minority were after all met in a decisive passage of the decree.

Even so it was extremely doubtful, up to the last moment, whether the Session could be held on 8 April. By the terms of the decision of 22 January, dogma and reform were to be discussed simultaneously and

every dogmatic decree was to be matched by a decree on Church reform. However, the completion of the reform decree, which had been under discussion for a whole month, appeared to be an exceedingly remote eventuality owing to the fact that in the general congregation of 5 April the Bishop of Bitonto, in his capacity of spokesman of the second commission, had added three supplementary articles to the commission's report on the four abuses which had been submitted on 17 March. It was easy to see that these three articles would provoke heated discussions. They ran as follows: (1) The study of theology is so much neglected that in consequence the teaching of youth and the instruction of the faithful languish. In order to breathe new life into the study of theology by the clergy the theological prebends which are already in existence in cathedrals must be applied to the purpose for which they were founded, and where there are no prebends, new ones must be created. A compendium must be drawn up for the study of theology which will also serve as an introduction to the study of Holy Scripture, while for the instruction of youth and the faithful a catechism is required. (2) While bishops and priests charged with the cure of souls frequently neglect to proclaim the word of God, there are others with no commission, especially members of religious Orders, who rely on their exemption, who spread errors and moreover give bad example. Hence it must be made a duty for bishops and parish priests to preach to the people on Sundays and holy days. As for religious, they may only preach in the churches of their Order with the permission of their superiors, but in all other churches they must have the approval of the bishop of the respective diocese, to whose correction they are subject should they spread erroneous doctrines. (3) Irreverent treatment of the word of God in literature, by superstitious observances, in coats of arms or on armour, must be punished as blasphemy.

The course of the discussion on these three articles in the particular congregations of 6 April made it perfectly clear that an exhaustive treatment was out of the question in the short time still available. True, the Bishop of Castellamare observed that not a single idea had been brought forward in the debate which had not already occupied the attention of the commissions, but it was equally certain that measures of reform which cut so deeply into the life of the Church required thorough consideration. For instance, would the small dioceses of Southern Italy be in a position to establish a theological prebend and to secure a qualified person for it? The Jesuit Lejay reminded the Fathers that it was not enough to see to the appointment of teachers

of theology, they must also be provided with students. Bonuccio on his part observed that the composition of a compendium of theology would demand at least a whole year; why not adopt Peter Lombard's *Book of Sentences*? Several prelates (Pacheco and the Archbishop of Aix, and the Bishop of Feltre) thought it excessive to lay on the bishops the obligation of preaching every Sunday of the year. It was not to be expected that the mendicant Orders would accept the subordination of their preachers to the bishops, or that the latter would agree to the exceptions from the rule (in churches of the Orders) which it was intended to concede. The existence of a strong tension, though a latent one, on this point appears both from the circumstance that the commission had not been able to agree about the inclusion of a commissary of the Orders when there was question of penal proceedings against preachers suspect of heresy, and from Cervini's concluding remark that the question of the right of correction in particular would be subjected to further examination. Pole's class alone seemed to have achieved unanimity in regard to the new articles.

The legates were now faced by the alternative of either postponing the Session, and thus providing material for the rumour-mongers, or of promulgating in that Session the decree on Scripture and Tradition, which was substantially ready, together with the reform decree against the four abuses, while keeping back, for the time being, the three additional articles. The legates welcomed the fact that in the general congregation of 7 April Pacheco, and all his followers, who had consistently tended to widen the framework of the reform decree as much as possible, advocated the second solution and carried the majority with him; but nearly all the members of the reform commission were opposed to the separation of the three articles.

The reform decree, which was read out by the Bishop of Bitonto in this general congregation, had undergone more than one alteration since the last debate. The Spaniards had complained from the beginning that in the first section the Vulgate was declared authentic while in the second it was said to need revision. Above all there was no agreement where, and by whom, this revision was to be carried out, whether at Trent by the Council, or in Rome by the Pope. In order to keep clear of these controverted questions the whole passage about the revision had been dropped, but on the other hand a section was added against the misuse of God's word. This new article was a pendant to the last of the three additional articles. In this new form the decree was passed without any serious objections. The commission was instructed to

give it its final shape in collaboration with the legates. The road for the fourth Session was open.<sup>1</sup>

Visitors drawn by curiosity had come from as far as Venice in order to witness this Session, the first to decide important controversies. Towards eight o'clock in the morning some fifty-five prelates entered the cathedral of San Vigilio, that is, nearly twice as many as at the opening. Of late Trent had witnessed the arrival of new prelates almost every day, such as the Archbishops of Siena and Corfu, the Bishops of Piacenza, Rieti, Ascoli and the auxiliaries of Bergamo and Verona. The Spanish contingent had been reinforced by the arrival of the Bishop of Huesca, Pedro Agostino, a brother of the famous canonist Antonio. The Fleming Peter van der Vorst, the former nuncio for the proclamation of the Council of Mantua, now Bishop of Acqui in northern Italy, added strength to the as yet small group of prelates from beyond the Alps. As for France, there were goodly lists of prelates that could be expected, but not one of them had appeared in the flesh. On a special seat, at the upper end of the bishops' benches, at right angles to the legates, there sat enthroned, in the capacity of imperial envoy, a Spanish grandee, Francisco de Toledo, the cousin of Duchess Eleonore of Florence and a relative of Cardinal Juan Álvarez.<sup>2</sup> The legates had had to rack their brains not a little in order to find the place he claimed and which would be a visible expression of the Emperor's peculiar relationship to the Council, for they had to reckon with the fact that the King of France would come forward with similar demands as soon as ever he sent an envoy to Trent. Of a "corps diplomatique" there were as yet few signs, for apart from the Habsburg brothers only one prince had so far despatched an observer to Trent, namely Duke Cosimo I of Florence, but the latter's secretary, Pietro Camaiani, who had been staying at Trent since the middle of February, was not an ambassador but only an agent.

The Archbishop of Sassari who, as president of the commission, had had a share in the preparation of the first decree was the celebrant

<sup>1</sup> *Sessio* IV of 8 April 1546: *C.T.*, VOL. V, pp. 90-104; VOL. I, pp. 48 ff.; 534; VOL. X, pp. 445 f. The number of gentlemen (*nobiles curiales*) is given as nearly one hundred in Pandolfini's *Avviso* (State Arch. Florence, *Med.* 2966, fols. 218<sup>v</sup>, 226<sup>r</sup>-231<sup>r</sup>). On the very day of the Session "trovandoci molto stracchi", the legates request the nuncio in Venice "che insti appresso la Ill<sup>ma</sup> S.<sup>ria</sup> per l'osservantia di questi decreti et maxime circa li impressori", Bibl. Ricci 4, fol. 68. Del Monte's signature does not appear.—For Camaiani's reports see H. Jedin, "La politica conciliare di Cosimo I", *Rivista storica italiana*, LXII (1950), pp. 346 ff.

<sup>2</sup> G. Buschbell, "Francisco de Toledo und seine Tätigkeit in kaiserlichen Diensten während des ersten Abschnittes des Konzils von Trient", *H. J.*, LII (1932), pp. 356-88.

of the Mass of the Holy Ghost. The preacher chosen for the occasion was the general of the Servites Bonuccio, in spite of the fact that in the previous debates on the dogmatic decree he had stood on the extreme wing of the opposition. His sermon contrasted with all previous discourses as regards both matter and form. Bonuccio's aim was to account for the situation in which the Church found herself—her internal need of reform and her external losses inflicted on her by the reformation—in the light of the theology of the cross. Linked as she is to Christ and His Spirit by faith in the gospel, the Church must regard the trials and persecutions with which God permits her to be afflicted as a cross—nay, the heresies themselves are a cross. The visible Church suffers indeed by reason of her unworthy members, the Judases and the hypocrites, the ambitious and the covetous—the deluge that has rushed in upon her for the last thirty years; but the invisible Church of God's children cannot come to any harm from all these things. The Sacred Scriptures to which her opponents appeal, and the apostolic traditions are on her side and on the Council's side. Bonuccio the theologian was not afraid to tell the assembly some bitter truths. He warned it against a schoolmasterly, narrow and rigid sticking to the traditional, but above all against anything like heresy-hunting. Let them beware of crying "heresy" as soon as a new idea was expressed, for in this way they would repress the *élan* of spiritual liberty. No less serious was yet another danger, namely that while discussing the reform they should forget the fundamental principle of the Catholic reform which required every one of them to begin the renewal with his own person. Lynx-eyed when looking for the faults of others, bishops and priests, princes and people are as blind as moles to their own defects. Unless we change our conduct, worse times will come upon us. "We know that Christ will not forsake His Church or suffer it to perish, but unless we put our hand to the task of reform here and now, another Nebuchadnezzar will rise and bring us to our senses." With a moving prayer to the Saviour, Bonuccio concluded a discourse in which boldness was matched by persuasiveness.

After the gospel of the false prophets had been sung (Matt. VII, 15 ff.) and after the invocation of the Holy Spirit, the celebrant himself read out the two decrees. The first put a full stop to the thousand-year-old development of the Biblical canon and countered the reformers' principle of "the Bible alone" with the principle of the traditions on faith and morals which go back to Christ and which came down to us, being passed on, "as it were from hand to hand" from the days of the Apostles, under



the guidance of the Holy Spirit. Infinite exertion had been required to crystallise this conception. The suggestion to discriminate between two separate currents of revelation (*partim-partim*) was put on one side. Above all, instead of defining the content of the current of Tradition by listing individual traditions, the decree connects it with the uninterrupted succession of the officials of the Church (*continua successione*) whilst its authority—after a lengthy discussion this way and that—was given parity with that of Scripture: all else was left to theological speculation.

In the second decree, commonly described as the “Vulgate decree” after its most important passage, “the ancient and wide-spread edition, tried by long and varied use in the Church”, was declared authentic, that is, reliable and furnishing dogmatic proofs for practical use in theological lectures and disputations as well as for the ministry of preaching. The basis of this authenticity is not the Vulgate’s agreement with the original texts, but the long use made of it by the Church.

The course of the debate, whose main lines we have followed, leaves no room for any doubt that when it published this decree it was not the intention of the Council to restrict the study of the original languages of the Bible, still less to stop it. The production of a revised edition of the Vulgate is foreseen but no definite statement is made about either the manner, or the place where the work would be done. The hotly controverted question of the translation of the Bible into the vernacular languages likewise remained unsolved. Holy Scripture may only be explained in the sense determined by the Church, its authentic interpreter, and confirmed by the unanimous consent of the Fathers. Not only editions and commentaries of the Bible, but all books with a theological content are subjected to a preventive censure by the ordinary. The misuse of the word of God for profane and superstitious purposes is expressly condemned.

A third decree fixed the next Session of the Council for the Thursday after Whitsunday, 17 June 1546. When the vote on the decrees was taken, only faint traces of opposition made themselves felt. Of the six prelates who gave a conditional *placet*, four (the Bishops of Capaccio, Fiesole, Badajoz and Huesca) complained only of the omission in the title of the Council of the clause, *universalem ecclesiam repraesentans*, on which they had insisted before, hence they had no objection to the decrees themselves. Only two prelates upheld their criticism of the parity of Scripture and Tradition, namely the coadjutor of Bergamo, who demanded the replacement of the expression “equal” by “similar”

or "agreeing with", and the Bishop of Chioggia, who instead of *placet* said *obediam*—"I shall obey".

Three months had gone by since the opening and the time had come when, by the terms of the laws governing General Councils, the assembly, to ensure its own authority, should have declared the prelates who had stayed away without adequate excuses to be *contumaces*, that is, absent without good reason. The subject had been mentioned in the general congregation of 7 April, but no formal decision had been arrived at, nor was it necessary, strictly speaking, since there was question of a generally recognised legal principle. However, when Cardinals Madruzzo and Pacheco and the envoy Toledo, in agreement, on this point, with the Archbishop of Aix, prayed the legates to put off the declaration of contumacy in consideration of the difficult situation of the Germans and in view of the prospective arrival of the French prelates, the promoter of the Council, Severoli, whose duty it would have been to propose such a declaration, secured the Council's agreement to its postponement.

Finally the Emperor's letter accrediting Francisco de Toledo, as well as the latter's written inaugural speech, which had already been heard in the general congregation of 5 April, and the Council's answer to it on 7 April, were read out once more by Massarelli. In this way these documents became part of the records of the Session drawn up by Massarelli, who, on this occasion, acted for the first time in the capacity of protonotary.

Ever since this fourth Session the meaning and bearing of the decree on Scripture and Tradition, and even more so the decree on the Vulgate, have not ceased to occupy the attention of theologians. Of Rome's reaction we shall speak presently. The sermon of the general of the Servites was followed by an epilogue which had actually begun in the course of the Session. Several members of the Council made no secret of their displeasure. Domíngo Soto, whose prestige was increased by his dual role of imperial theologian and representative of the general of the Dominicans, took the field against the sermon in the sharpest terms. Which of Bonuccio's doctrinal points he was attacking was never expressly stated, but we can easily imagine which they were, namely the conception of faith, in which he included hope and trust, and the doctrine of an invisible Church. But the chief motive for Domíngo's attack was undoubtedly Bonuccio's warning against heresy-hunting. The fact was that Soto had recently cast suspicion on the conciliar preacher, the Carmelite Marinarius, who had preached on the

fourth Sunday in Lent, on account of his teaching, hence he felt, not without reason, personally concerned and he succeeded in getting Cardinals Madruzzo and Pacheco, together with the imperial envoy, to demand that the legates should question Bonuccio in their presence. The legates, who obviously sympathised with Bonuccio, refused to act on such a suggestion; on the other hand they did not succeed in silencing Soto. Thereupon Bonuccio defended himself and in the meeting of the commission on 12 April demanded protection from Soto's attacks. The latter was accordingly sent for. He refused to repeat his earlier remarks until the manuscript of the sermon was handed to him. This Bonuccio declined to do, as was his right, but at the request of the legates he read it to the assembly. However, Soto stuck to his point—first the manuscript, then the criticism. The legates' attempt to put an end to the painful situation by means of a compromise led nowhere. On the other hand the legates were anxious to avoid formal proceedings against the preacher if at all possible, even when the Bishop of Castellamare insulted him by calling him a Hussite on account of his notion of the Church. The result was that the latter insisted all the more emphatically on the restoration of his good name. It would seem that Soto only formulated his objections at a second meeting which took place on 18 April, in presence of the Bishops of Fano, Bitonto, Bertinoro and Astorga, Del Monte presiding, and that Bonuccio answered them. Thus the incident was disposed of, at least for the time being.<sup>1</sup>

Far more serious was a second epilogue. Cervini was firmly convinced that the decree on Scripture and Tradition had successfully stood its trial by fire and water and had triumphed over arguments that would have found favour even in Wittenberg. In the Vulgate decree too, he thought that every word was so carefully weighed that no opening was left for a cut-and-thrust attack on it. But Rome thought otherwise. The decrees were submitted not only to the Roman conciliar commission, but to all the cardinals, with a view to their opinion. But even before the official attitude of the two groups, the narrower and the wider one, became known, it was certain that it would be unfavourable, at least in respect of the Vulgate decree. The decree gave rise to grave misgivings in Rome, chiefly because the originally planned passage on the necessity of revising the text of the Vulgate seemed in the end to create the impression that it was regarded as free

<sup>1</sup> The dispute over Bonuccio's sermon in *C.T.*, VOL. I, pp. 535 f.; 538, l. 6; VOL. II, p. 383; see below CH. XII.

from error. Even Cervini's learned friend Guglielmo Sirleto, who shared the latter's opinion that the Vulgate frequently offered an older and better text than the Septuagint and the Greek New Testament, was astounded by the omission of any mention of the original languages of the Bible; he dreamed of the production of a model Latin Bible on the basis of the Hebrew and Greek texts. The sharpest censure was that passed by Gianbattista Cervini, Cardinal Cervini's Roman agent: "You have given no small scandal!" he said. "People in Rome are surprised and dismayed that you should speak of 'the ancient, familiar edition' without describing it more particularly (evidently, like many other people, Cervini did not regard the Vulgate as the work of St Jerome); but the worst is that there is not a single word in the decree about the necessity of a revision."

The most important points of the Roman criticism were crystallised in these remarks. It is plain that in Rome they were more progressive in matters concerned with the study of the Bible—but likewise more care-free than at Trent. By comparison with these objections to the Vulgate decree Farnese's remaining fault-finding with the result of the fourth Session is almost negligible, for example, that the declaration of contumacy against the absentees was omitted and the date of the next Session somewhat too distant. The legates, exhausted as they were by the exertions of the last few weeks, were bound to feel hurt by a remark of the Pope which Maffeo reported to them, namely that the result of the Session had been extremely meagre (*habbiate fatto molto poco*).<sup>1</sup>

Without taking any notice of this observation, the legates, in their letters of 24 and 26 April, took the defence of the Vulgate decree which was the object of such violent controversy. It had been the unanimous intention of the Council to declare that the Latin Bible in use in the

<sup>1</sup> The letters of Farnese, Maffeo, Sirleto and G. B. Cervini, all dated 17 April 1546, in *C.T.*, VOL. X, pp. 462 f.; 891; 939; Cervini's view of the decrees of the Session, *ibid.*, p. 468; on the Vulgate, *ibid.*, pp. 446, l. 21 to 447, l. 7. Sirleto defended the decree but felt "che saria stato bene dechiarar meglio la cosa, parlando de la hebrea, de la greca e de la latina" (edizione). What he had in mind was a textual revision on the basis of these three languages. At Rome, however, they thought that the decree made no change in existing conditions (che niuna cosa de novo s'è determinato), *C.T.*, VOL. X, p. 939 (17 April 1546).—The only Protestant criticism we will mention is that made by Antonius Corvinus in the preface to the song "Vom Trientischen Concilio", *Briefwechsel des Antonius Corvinus*, ed. by P. Tschackert (Hanover 1900), pp. 201 f.: the canon set up by the Council, Corvinus alleged, rejected all the holy Fathers and the ancient Churches; it recognised 2 Macc. as authentic "because whatever ministers to their pleasure must be biblical, Christian, holy and good". As for traditions, "which they regard as no less than God's own words, they are to be taken up and practised once more".

Roman Church and covered by her teaching authority, was reliable, notwithstanding the fact that in many places it differed from the Hebrew and Greek texts, besides exhibiting faults of style. The authors of the decree were well aware of these blemishes, though these are often exaggerated; but in view of the Roman Church's freedom from error, they were unwilling to placard them publicly. Hence they had had in mind a revision carried out in silence, and such a revision they had been authorised by the Council to pray the Pope to permit. At a later date the revision of the Latin Bible might be followed by that of the Hebrew and Greek Bibles. Moreover, there was the possibility of getting the experts now at Trent to make an immediate start with the work of revision so that, as soon as possible, "a revised Bible may appear, by authority of the Pope and with the approval of the Council, for the everlasting preservation of our faith".<sup>1</sup>

For us the most important element of this apology of the legates is that it defines the meaning of the decree. With all the clarity that could be wished for the legates, who were the most authorised interpreters of the intentions of the Council, declare that in drawing up the decree the assembly intended to declare the Vulgate, that is, the Latin translation of the Bible in use in the Roman Church, to be free of any dogmatic error. The Council does not in any way deny the need of a revision of the text, it even wishes to include the original texts in such a revision. It is necessary, however, to draw a careful distinction between this official explanation of the legates and Cervini's views as a private scholar on the value of the texts and on the procedure to be followed in the work of revision, for in them accuracy is mixed with error. On the meaning of the decree he is in perfect agreement with his colleagues. His proposal, in the particular congregation of 7 May, of the formation of a conciliar commission for the revision of the Vulgate, was discussed in the legates' conference of 10 May but was not given effect because the Roman objections had not yet been disposed of.

The Roman commission of cardinals persisted in their refusal to accept the Vulgate decree. "In its opinion", Farnese wrote on 29 May, "it would have been better to leave out the chapter on the authenticity of the Vulgate, but since it has been drawn up we must look for ways and means to tone it down (*temperare*), that is, to explain it further (*dichiarare*), for it is impossible to deny that in many passages the

<sup>1</sup> Cervini's defence of the Vulgate decree, *C.T.*, VOL. x, p. 468 (24 April 1546), that of the legates, *ibid.*, pp. 470 ff. On the project of a committee for a revision of the Vulgate at Trent, VOL. v, p. 128, l. 8; VOL. I, pp. 544, l. 39; 546, l. 15.

Vulgate departs from the certain Hebrew and Greek text and fails to render its meaning. These more serious defects, which must be traced back to the translator himself, are not to be removed by merely correcting the copyists' and printers' mistakes—however desirable such a correction may be in itself—while a revision of the Vulgate, on the basis of the original texts that might be considered, would be an extremely arduous task.”<sup>1</sup>

The legates did not submit these weighty difficulties and proposals to yet another discussion. In their reply of 8 June they contented themselves with singling out the one point for which they had secured the agreement of the members of the commission; they prayed that the revision of the Vulgate should be taken in hand at an early date and asked for the production of an emended Latin Bible whose publication would silence the critics of the decree. Their wish remained unfulfilled, at least while the Council was sitting. The Louvain edition of the Vulgate published in 1547 by order of Charles V, was a private piece of work, not the official Bible of the Church which the Fathers of Trent had in mind. The decisive motive for Rome's passive attitude was undoubtedly the dissatisfaction with which authoritative circles in the eternal city viewed the decree of the fourth Session. On the other hand, immediately after the conclusion of the first two periods of the conciliar sessions, two of Cervini's familiars, namely the above-mentioned Sirleto and Nicolò Majorano, took up the work of revising the Greek New Testament and the Septuagint—a striking proof of the fact that, in the opinion of the conciliar legate who had been most deeply engaged in the drawing up of the Vulgate decree, that pronouncement did not exclude work on the original texts.

The question of a revision of the decree cropped up once more in the year 1561 when one of the opponents of 1546, Seripando, had become a cardinal as well as conciliar legate. At that time, and at his instigation, the College of Legates revoked the plan for a new printing of the Vulgate by the Venetian printer, Paolo Manuzio, who had been summoned to Rome for this purpose. For one thing no adequate preparations had been made for its execution. The motives now alleged by the legates clearly aim at a revision of the Vulgate decree which, in point of fact, had not yet been confirmed by the Pope. They

<sup>1</sup> The judgment of the commission of cardinals on the Vulgate decree in Farnese's letter of 29 May, *C.T.*, VOL. X, p. 507; the legates' concluding words on 8 June, *ibid.*, p. 519. The statement in Farnese's letter, (p. 507, l. 23), that the Vulgate decree had an anathema attached to it has been recognised as inaccurate by Höpfl, *Beiträge*, pp. 43 ff.

pointed out, firstly, that the decree did not define which was the *Vetus et Vulgata editio*, and they were undoubtedly thinking not only of the question of authorship but likewise of the *Vetus Latina*; secondly, they insisted that the decree prevented Catholic theologians from making use, in their defence of Catholic dogma, of scriptural texts not found in the Vulgate; and, finally, the decree affected unfavourably the study of the original languages. The second was the more weighty of these arguments because it was apparently aimed at the very purpose the authors of the authentication had had in mind. From a contemporary letter of Seripando to Cardinal Da Mula we gather that he desired an additional decree which would permit the use, for dogmatic purposes, of such Latin Bible texts as are not found in the Vulgate but have been handed down by the Fathers.<sup>1</sup> In itself there could have been as little objection to a resumption of the Vulgate decree by the Council as to the resumption of the sixth Session's decree on residence in the twenty-third Session. However, Seripando failed in his attempt to get the Council to take up the question of the Vulgate a second time. Pius IV confirmed the decree of the fourth Session just as he confirmed all the other conciliar decrees, without any alteration. The post-Tridentine story of the revision of the Vulgate up to the Sixto-Clementine edition of 1592, lies outside the framework of our presentation of the facts, but it is worth noting that that edition was paralleled and followed by efforts for a revision of the Hebrew and Greek texts of the Bible.<sup>2</sup>

<sup>1</sup> On the plan for a possible revision of the Vulgate decree, of the year 1561, see Höpfl, *Beiträge*, pp. 60 ff.; Jedin, Seripando, vol. 1, pp. 336 ff. (Eng. edn., pp. 294 ff.).

<sup>2</sup> For the antecedents of the Sixto-Clementine edition of the Vulgate it may suffice to refer the reader to *L.Th.K.*, x, pp. 703 ff.; on the efforts for the original texts, cf. J. M. Vosté, "De revisione bibliae hebraicae juxta votum concilii Tridentini", *Angelicum*, xviii (1941), pp. 387-94; *id.*, "De revisione textus graeci Novi Testamenti ad votum concilii Tridentini facta", *Biblica*, xxiv (1943), pp. 304-7; S. Tromp, "De revisione textus Novi Testamenti facta Romae a commissione pontificia circa annum 1616, praeside S. R. Bellarmin," *Biblica*, xxii (1941), pp. 303-6.

### CHAPTER III

## New Ways of Proclaiming the Faith : Biblical Studies and Preaching

THE sixth Session had not been able to come to a final decision on two of the additional articles which the second commission had submitted to the Council on 5 April. The aim of these articles was of the greatest consequence; it was nothing less than that the persons officially charged with the cure of souls, namely the bishops and the parish priests, should take a more active share in the proclamation of the faith than hitherto and that this proclamation should be more decisively based on Holy Scripture. The action of the committee was prompted by the fact that for the theological formation of the pastoral clergy no universally binding regulations were in existence, not to speak of institutions to that effect. By means of obligatory lectures on the Bible at cathedral churches, in the houses of study of religious Orders and in colleges (*gymnasia*), the secular and religious clergy were to become more thoroughly acquainted with the word of God. In order to make it easier to get hold of the doctrinal content of the Scriptures, students were to be provided with a short compendium of the dogmas of the faith (*introductio*, or *methodus*). A catechism must be drawn up which would serve as a guide for the instruction of children and the adult laity. The whole plan was inspired by a conviction that by raising the level of the theological formation of the pastoral clergy they would create the preliminary condition for a better religious formation of the people. The road thus taken was in full accord with the demands of the humanistic reform movement, namely, a return to "the sources" of the word of God, while the "methodus"—a thoroughly Erasmian notion—was to prevent the study of the text of Scripture from lagging behind speculation. In any case the "methodus" must on no account be thought of as a kind of *Catechismus Romanus*.<sup>1</sup>

<sup>1</sup> Stegmüller's *Repertorium* has thrown light on the extent of Biblical studies and hermeneutics in the Middle Ages, but our knowledge of the methods adopted in this teaching leaves much to be desired. H. Rost, *Die Bibel im Mittelalter* (Augsburg 1939), pp. 114-25 ("The study of the Bible in the Universities and in monastic and grammar schools"), is a popular work; far superior to it is B. Smalley, *The Study of the*



The commission's chief aim was a reform of the ministry of preaching. Here too the ideals of Christian humanism were at work. St Paul's pastoral letters and the homilies and letters of Augustine and Ambrose, Basil and Chrysostom, provided a vivid picture of what a bishop should be—a preacher and a guide of souls. New life must be breathed into

*Bible in the Middle Ages*, 2nd ed. (Oxford 1952). Above all we know very little of what was accomplished outside the Universities and the houses of study of the religious Orders, for instance through the lecturers at cathedrals, as ordered by the fourth Lateran Council. Even more important than these medieval roots are the relations with humanism, especially with Erasmus, to which Allgeier, *H. J.*, LII (1932), pp. 323 ff., has very properly drawn attention. The *methodus* proposed in the original draft of the decree links up with Erasmus's work of the same name (text in H. Holborn, *D. Erasmus Rot., Ausgewählte Werke* (Munich 1933), pp. 175-305). It is not conceived as an introduction to the Bible, or as a work of hermeneutics in the modern sense of the word, but rather as a collection of *sententiae*, in accordance with a well-defined point of view—"ad quos omnia quae legeris velut in nidulos quosdam digeras". Melancthon had a similar aim in mind in his *Loci communes* (1521), where he expressly mentions Peter Lombard in his introduction, though only to refute him. The Erasmian Nausea, in his memorial for the *Colloquium* of Worms, 1540, printed by Cardauns, *Reunionsbestrebungen*, p. 199, draws up a list of the books which should constitute the groundwork of the formation of the clergy, viz. the Bible, the *Sentences* of Peter Lombard, St Augustine's *De doctrina christiana*, St Thomas's *Compendium*, Erasmus's *De modo concionandi*. Two years later Albert Pighius, *Ratio componendorum dissidiorum* (Cologne 1545), fol. b 5<sup>o</sup>, writes that it would be a good thing "si per eruditos piosque aliquot ad hoc delectos, auctoritate publica ea universa in locos aliquot communes luculenter explicata redigerentur". Whether Erasmians or not, it was the prime concern of the adherents of positive theology to promote Biblical studies, such as linked up with Christian humanism. As early as 1 March 1546, *C.T.*, VOL. I, p. 506, l. 14, Cervini blamed those theologians who derived what knowledge they possessed of the Scriptures, not from the study of the sacred volume, but from a study of its commentators "non ex ipso sacrorum librorum fonte, sed doctores sacros legendo ex eorum allegationibus". On this point he was in complete agreement with his chief adviser, Seripando. The *methodus* which Cervini and the compilers of the reform articles of 5 April had in mind was therefore a short introduction to theology which was to be no more than a help to the study of Holy Scripture. It is characteristic of the mental attitude of the members of the Council of that period that besides the books already available and which were adequate to the requirements, viz. the *Sentences* of Peter Lombard, the *Compendium* of St Thomas and the *Breviloquium* of St Bonaventure, mention was also made of Erasmus's *Enchiridion* and Rufinus's *Expositio in symbolum apostolorum* (wrongly ascribed to St Cyprian), *C.T.*, VOL. V, pp. 117, l. 21; 118, ll. 7 and 38, though not of Gropper's *Enchiridion* which was well known in Italy, or of Filippo Archinto's *De fide et sacramentis* (1545), which were a kind of prototype of the future catechism for parish priests in which current controversies were noted. For the first essays of a popular catechism previous to the reformation and the first Catholic catechisms of the period of the reformation, see *L.Th.K.*, VOL. V, pp. 880 ff.; for the Spanish catechisms of Mendoza, Talavera and Ximenes, see L. F. de Retana, *Cisneros y su siglo*, VOL. I (Madrid 1929), p. 279; for humanist attempts, e.g. Constantino, *Summa de doctrina christiana* (1543), see M. Bataillon, *Erasme et l'Espagne* (Paris 1937), pp. 574-80. For the Italian catechisms of the cinquecento and their preliminary stages, e.g., the *Libretto della dottrina cristiana* of St Antonine of Florence, see P. Tacchi Venturi, *Storia della Compagnia di Gesù in Italia*, VOL. I (Rome 1950), pp. 335 ff. For the method of theological teaching see R. Guelluy, "L'évolution des méthodes théologiques à Louvain d'Erasmus à Jansenius", *R.H.E.*, xxxvii (1941), pp. 31-144.

this ideal of a bishop. Where could bishops be found who regularly preached the word of God to their people? The fact was that preaching, especially in Advent and Lent—the traditional preaching periods in Latin lands—had become almost a monopoly of the mendicant Orders. Dominicans and Franciscans, Hermits of St Augustine and Carmelites occupied the pulpits not only of their own churches, but those also of parish churches and cathedrals. On account of their slender theological formation the overwhelming majority of the secular clergy and a great many parish priests were not in a position to appear in the pulpit.

However, as soon as the Council sought to control the preponderance of the mendicants in the ministry of preaching it found itself in the very midst of the dispute between the secular clergy and the mendicants in respect of pastoral work in the towns, and which had been a cause of tension during the last three hundred years. Backed by a strong central organisation and closely linked to the Papacy, the mendicant Orders had preached and exercised the pastoral ministry on the basis of their apostolic privileges. A condition for their activity as well as its reward was their almost complete exemption from the jurisdiction of the bishops. To preach in the churches of their Orders they needed no episcopal approval; but since the pontificate of Boniface VIII they were only allowed to preach in cathedrals and parish churches with the permission of the respective ordinary or the parish priest. However, in virtue of privileges which Sixtus IV had granted to the Franciscans and the Dominicans in the previous century they were not subject to the bishops' corrective authority. They were a state within a state, so to speak, and in any dispute with this powerful, world-embracing organisation, an individual bishop was from the first the weaker party. He remained so even after certain symptoms of internal disintegration, and the anti-monastic propaganda which had set in at about the middle of the fifteenth century, had weakened the moral influence of the Orders. Already at the fifth Lateran Council the bishops had taken defensive action against the mendicant Orders' preponderance in the cure of souls in the towns. As the result of some heated discussion a compromise had been arrived at in the eleventh Session (19 December 1516). The decree on preaching issued on that occasion went some way to meet the bishops' demands. It was to the effect that a preacher belonging to a religious Order was bound to show his superior's licence to preach to the ordinary of the diocese in which he happened to be preaching, should the latter demand it. By this decree the bishop became indeed a formal controlling authority, but as far as we are able to ascertain at this

time, it did not lead to a real strengthening of episcopal influence. The position of the mendicant Orders was only shaken when certain preachers from their ranks, more or less influenced by Protestant ideas, gave rise to suspicion, scandal and disputes, while their respective superiors, from motives which it is easy to understand, did not always intervene promptly and effectively. The Curia countered these conditions with the creation of the Roman Inquisition in 1542, while at the same time strengthening the authority of the bishops. When in 1540 Paul III urged the bishops then in Rome to observe the duty of residence, these prelates laid their complaints and their demands before the Pope. One of their demands was that in future no preacher, even if provided with apostolic authorisation, should be allowed to appear in the pulpit unless he had first presented himself to the ordinary of the place and had been found suitable by him. The reform Bull *Superni dispositione consilii*, which was drafted on the basis of the bishops' grievances, accordingly laid down the principle that no one was authorised to preach on the ground of apostolic privileges, unless his superiors had first presented him to the ordinary and the latter had approved him.<sup>1</sup> In this way the bishops would have been granted more than a formal control; they would have had a right to judge in their turn of the suitability of exempt preachers. The Bull was never given force of law, hence no change occurred in existing conditions, but it testifies to a tendency which, on the eve of the Council, was at work in the Italian

<sup>1</sup> Thanks to the labours of Falk, Landmann, Pfleger, Buchner and, more recently, Th. Freudenberger's *Der Würzburger Domprediger Dr. Johann Reyss* (Münster 1954), pp. 8-38, we are relatively well informed about the organisation of the ministry of preaching in Germany in the Middle Ages, especially about the very active participation of the parochial clergy, as well as on prebends for preachers, which became ever more numerous in the course of the fifteenth century, and on the frequency of sermons. For England we have G. R. Owst's *Preaching in Medieval England* (Cambridge 1926). On the other hand much remains to be done for a study of preaching in Italy and Spain which concerns us particularly. There is a useful bibliography in B. A. Mehr, "De historiae praedicationis, praesertim in Ordine Fratrum Minorum Capucinatorum, scientifica peruestigatione", *Collectanea Franciscana*, XII (1942), pp. 25-32; P. Tacchi Venturi, *Storia della Compagnia di Gesù in Italia*, VOL. I, pp. 291-307. According to J. Goñi Gaztambide, *Los Navarros en el Concilio de Trento y la reforma tridentina en la diócesis de Pamplona* (Pamplona 1947), pp. 153 ff., Pacheco ordered the parish priests of the diocese of Pamplona, as early as the year 1540, to explain the gospel on all Sundays of Lent and Advent and to get the people to repeat on all the other Sundays those things which everyone should know by heart, viz. the *Pater Noster*, the *Ave Maria* and the Creed, so as to imprint them upon the memory. On the antecedents of the dispute between the bishops and the exempt Orders with regard to preaching see Jedin, *History of the Council of Trent*, VOL. I, pp. 136 f., (Eng. edn.); also *id.*, *Seripando*, VOL. I, pp. 342 ff. (Eng. edn. pp. 342 ff.); for the bishops' demands in 1541 see *C.T.*, VOL. IV, pp. 483, l. 5; 491, l. 9. On the draft of a Bull composed before *Sessio V*, *C.T.*, VOL. XII, pp. 573-6.

episcopate and even more so in the Spanish one. It was to be expected that the bishops, now gathered in considerable number in Council, and supported by that assembly's authority, would strive their utmost to secure that which they had failed to obtain five years earlier.

The two reform articles of 5 April, therefore, did not by any means touch only the fringe of Church reform, on the contrary, they tackled essential tasks of the ecclesiastical revival. However, the very first discussion in the particular congregation of 6 April gave a hint of the obstacles which every conciliar reform, that is, any general Church reform, would have to encounter. These difficulties were due to the peculiar circumstances, to the spiritual as well as the material conditions in which the Church found herself at the time and which differed from country to country. Thus the establishment of a lectureship in Holy Scripture did not in every instance depend on the good-will of a particular bishop; it was also a question of the financial situation of his diocese. "There can be no question of laying such a burden on the small, poverty-stricken dioceses of the Kingdom of Naples," the Bishop of Motula in Apulia protested, "*Pater Noster* and *Ave Maria* are enough for them." As a matter of fact, how could they raise an annual sum of sixty ducats, the prospective salary of a lecturer? Nor could anything be hoped for from a bright idea of the general of the Servites that the local bishop should be made to contribute ten per cent of his revenues for the simple reason that it was impossible to suggest such a curtailment of their income—which was small enough already—to the majority of the bishops of Southern Italy.

Hence, instead of the establishment of new theological prebends in cathedrals in which none existed, Pacheco and Campeggio suggested that the first prebend to become vacant at any time should be bestowed on a graduate whose duty it would be to lecture on Holy Scripture. "But", Seripando objected, "will not the execution of the prescription run the risk of being indefinitely delayed, namely as often as papal provisions and expectancies should intervene? The suggestion of the two prelates would only makes sense if the Pope expressly renounced his rights in this respect." This he eventually did.

Since the bishop is the official teacher in his diocese, the demand that he should preach on all Sundays and holy days made sense and could be given effect in Italy where every town of some size had its own bishop; but to the Spaniard Pacheco and to the Frenchman Filheul it seemed excessive, like that other demand that the bishop should control the catechetical instructions of the parish priests month by month.

Campeggio thought that even in a diocese of moderate size such as Feltre, so constant a control was not practicable. On the other hand the Bishop of Bertinoro wanted to lay on the bishops the duty of preaching every day!

Throughout this debate Thomas Casellus, a Dominican and a man in close contact with Cervini and Massarelli, made surprising and extremely progressive proposals, though some of them were hardly capable of execution. He strenuously maintained that the study of the Bible was not a preliminary step but the very purpose of education, and in religious houses of study these studies must be the concern of the rector. Such was the general determination to give preference to the study of the Bible that the Bishop of Belcastro saw even in the introduction of a "methodus" a possible disadvantage for this all-important study. The great question was whether, by reason of their finding themselves in the thick of controversy with Protestantism, they could abandon a systematic training which, in this case, meant the scholastic system. It was a remarkable circumstance that it should have been a member of a mendicant Order, namely the Servite general, who expressed his misgivings about such far-reaching reform plans. His advice was that Peter Lombard's *Sentences*, that manual of scholasticism, should continue to be used in the schools. This shows that Bonuccio was by no means the crypto-Protestant he might have been suspected of being because of the opinions he expressed in the debate on Tradition and in his sermon at the beginning of the Session.

The first debate on the reform of the proclamation of the faith revealed the strength at the Council of the advocates of a progressive reform. These men were all cast in a humanistic mould. What they urged was nothing less than a revolution in theological studies under the banner of humanism. The practical step foreseen in the decree, namely the foundation, or the revival, as the case might be, of the Biblical lectureships prescribed by the fourth Council of the Lateran in 1215, was not an adequate means to that end. It rested on the assumption, which was often on the lips of conservative reformers, that in order to reform the Church, no new laws were required, that it was enough to give effect to the existing ones. But it was not possible to build up a reform such as the times required on such a basis. In its third period the Council directed the training of the clergy along new lines by its legislation for the erection of clerical seminaries, but in so doing it did not take into account the humanistic tendencies which, at the opening of the Council, had been so much to the fore. As a matter of fact, the

bishop as the authentic preacher and teacher in his diocese was an ideal figure of the humanistic reform movement, whom we meet in the "Mirrors" of bishops, and the biographies of the fathers of the Catholic reform. This ideal figure of a bishop stands in the background of the controversy between the bishops and the exempt Orders on the subject of preaching. This dispute grew in sharpness as the debate proceeded. The fact is that this controversy was more than the continuation of the dispute between the secular clergy and the mendicants over their respective rights in the pastoral ministry—a dispute which had begun in the Middle Ages—it was the resumption by bishops and parish priests of their pastoral activities. If we keep these facts in mind, we shall easily understand why no decision on the additional articles could be reached in the fourth Session.

Nor was the legates' hope that these articles might be examined before the Easter break destined to be fulfilled.<sup>1</sup> On 12 April the

<sup>1</sup> The fullest account of the antecedents of the so-called "preaching decree" is given by J. E. Rainer, "Entstehungsgeschichte des Trienter Predigtreformdekretes", *Z.K.Th.*, xxxix (1915), pp. 256-317; 465-523. Unfortunately he does not take into account the discussion of ways and means for the improvement of Biblical studies which, as I am endeavouring to show, is intimately connected with the reform of preaching; nor is he sufficiently acquainted with concrete conditions, especially in Italy and Spain, which alone makes it possible to understand many of the observations made at the Council. The connection between the discussion of the lectureships in Scripture and the humanistic efforts for a reform was recognised by H. Allgeier, "Das Konzil von Trient und das theologische Studium", *H.Ź.*, lII (1932), pp. 313-39; cf. *id.*, "Erasmus und Kardinal Ximenes in den Verhandlungen des Trienter Konzils", *Spanische Forschungen der Görres-Gesellschaft*, iv (1933), pp. 193-205. The development of the draft of the preaching decree starts from the proposal of 5 April 1546, *C.T.*, vol. v, pp. 72-5, in which *abusus* and *remedia* were still kept apart. On 12 April it was formulated as a decree, *C.T.*, vol. v, pp. 105-8, by the commission, *ibid.*, p. 28, and the legates, who had probably discussed it with the Bishops of Bitonto, Belcastro and Bertinoro, vol. I, p. 534, l. 26. This is Form I; cf. *C.T.*, vol. I, p. 535, l. 34. This Form I was discussed in the classes of 13 April and in the general congregation of the 15th, but not completed. Of the corrections suggested by the three classes in the course of the latter assembly only those of Cervini's class have been preserved, *C.T.*, vol. v, pp. 113 f. The tension between the bishops and the religious within the commission may have been the reason why during the Easter pause the legates, on 29 April, took the draft into their own hands, with the assistance of two experts, viz. the Bishop of Bitonto and Pighino, vol. I, p. 542, l. 24. On 30 April, Cervini and Pole gave their observations in writing on Form I as revised by Del Monte and the Bishop of Bitonto, vol. v, pp. 122 ff.; on 2 May it was discussed in a conference of the legates. The "quattuor capita in quibus erat difficultas", vol. I, p. 543, l. 29, are not expressly mentioned. After yet another revision by Del Monte and the Bishop of Bitonto on 3 May the draft was separately submitted to each member of the commission, convocation of which was dispensed with owing to torrential rain. The corrections introduced by the Bishops of Fano, Sinigaglia, Castellamare and La Cava were then embodied in the draft by Del Monte and Massarelli in a three hours' session, vol. v, pp. 125 ff., after which the secretariat executed copies which were taken to each of the prelates by the secretaries (Form II). On the basis of observations made in the classes of 7 May, and in the general congregation

commission formulated them in a decree. On the next day they were submitted to the classes and on 15 April to the general congregation—much against Del Monte's wishes, who would have preferred to send them back at once to the commission.<sup>1</sup> In the course of the debate a number of new ideas and questions came to the surface, such as whether the Council should make it obligatory for the Orders, especially the Dominicans, to give preference to the study of Scripture over that of scholastic theology, or whether it should be left to themselves to take appropriate measures. Another question was whether the composition of a "Methodus" should be entrusted to the University of Paris or to a group of universities, or whether for the performance of the task a conciliar commission should be set up, while no mention of the fact would be made in the decree. Should such parish priests as are incapable of preaching be provided with a collection of homilies, explaining the gospels of Sundays and holy days, which they would read to the congregation instead of a sermon; or should one or more preachers be appointed to preach the word of God in such localities of every diocese as were not otherwise provided for? Pacheco and many other bishops thought it excessive to extend the bishop's duty to preach to every Sunday and holy day and to punish its neglect with a fine. Others, such as the Bishops of Badajoz, Bertinoro, Aquino, as well as Domínguez Soto, who as representative of the Dominican general had both seat and vote, regarded a mere exhortation that the bishops should apply themselves to preaching as ineffective, and this not without good reason. The Council gradually realised that what mattered, not only in connection with the establishment of lectureships, but with the general reform of the proclamation of the faith, was that every diocese should have at its head a bishop filled with pastoral zeal and who personally

of the 10th (*see Summarium* in 8 points, *C.T.*, VOL. v, pp. 140 f.) the jurists revised the draft, VOL. I, pp. 546, l. 32; 547, l. 41. The text of this new formula (Form IIA), which was despatched to Rome on 15 May (*ibid.*, p. 548, l. 7) has not been preserved. The general congregations of 18, 20 and 21 May apparently only discussed the 8 points. The last known preliminary draft (Form III) is the one submitted on 15 June (VOL. v, p. 226) the text of which was settled in the legates' conference of 11 June, VOL. I, p. 553, l. 34.

<sup>1</sup> The classes of 13 April and the general congregation of the 15th, *C.T.*, VOL. v, pp. 108-21; VOL. I, pp. 50 ff. The legates' report of 15 April, VOL. x, pp. 460 f., gives no details of the course of the general congregation, but one important observation is recorded: "S'è potuto vedere un commune consenso che s'avesse a trattare della residentia de' vescovi e delli impedimenti." The standpoint of the generals of Orders is explained in Seripando's letter of 15 April to Cervini, *C.T.*, VOL. x, p. 457, and in Audet's treatise, VOL. XII, pp. 577 f., though the date—June—can hardly be correct.

resided in his diocese. The problem of the duty of episcopal residence was rising on the horizon.

The representatives of the mendicant Orders voiced their objections to the widening of the bishops' rights of supervision of religious preachers which was foreseen in the draft of the decree. The most distinguished among the generals of Orders, Seripando, who was even a member of the commission, had gone to Venice on 9 April, with leave of the legates, on business of his Order and had only returned to the city of the Council on 18 May. Before his departure Seripando had informed Cervini of his dissatisfaction with the draft of the decree because by its terms the mendicant Orders were handed over to the bishops. In his *Little Tractate on Preachers*, Nicholas Audet, the general of the Carmelites, sought to reduce the bishops' control of regulars in the pulpit to a minimum. In the general congregation the Servite general asked why, by means of letters of recommendation by their superiors, to be renewed annually, an attempt was being made to oblige preachers in the churches of their own Orders to appear before the bishops? Even prelates of high standing, men like Cardinal Pacheco and the Archbishops of Aix and Matera, spoke in favour of the existing privileges of the Orders. The question also came up, to which impartial authority appeal would have to be made if differences of opinion were to arise in the course of proceedings against a regular preacher suspect of heresy, which according to the draft of the decree were to be conducted jointly by the bishop and the appropriate religious superior. Was the metropolitan to be called in, or a neighbouring bishop, or else the Inquisitor?

A different tone, and a sharper one, was sounded in the debate when the Bishop of Fiesole came to speak. We already know this prelate as a determined champion of episcopal rights. "Shall religious preach in their churches without being commissioned by us, the bishops?" he asked. "In that case we shall allow the wolves to get access to the sheepfold, not indeed by the main entrance but by the back door! Never shall I consent to such a thing, on the contrary, should the Council take such a step, in the consciousness of my innocence I shall appeal to the tribunal of Jesus Christ."

The Bishop of Bertinoro protested at once that a religious licensed to preach by his superiors, hence ultimately by the Pope himself, could not be said to be a wolf who broke into the episcopal fold. "What would have become of the Church of God if the regulars had not made good the bishops' sins of omission in the cure of souls?" "And what would



happen now", Del Monte added in winding up the debate, "if the regulars were to give up preaching?" Everybody knew the answer: the pulpit would be empty. No one could deny that the rights of the mendicants were based on genuine achievement and that the secular clergy, at least in Italy, had no similar performance to their credit.

In the April debate the final chapter of the draft—a miniature mirror for preachers—met with but slender opposition. Preachers were warned against discussing in the pulpit God's unsearchable judgments, that is, predestination, and against straining after effect by means of curious stories and mere legends. Warnings of this kind were only too well justified; very serious too was the question raised by the Bishop of Feltre, whether it was at all permissible for a preacher to treat of controversial matters in the pulpit, for there was a danger that he would pull down more than he would be able to build up, and after all, the last end of preaching was the edification of the listeners (*aedificatio audientium*).<sup>1</sup>

There was complete unanimity in the disapproval of religious living outside their cloisters and of "that species of people called 'collectors of alms'", who could not be suffered to meddle with the ministry of preaching. On the other hand a number of the Fathers, probably out of consideration for those who proclaimed the indulgence granted to the contributors to the building of St Peter's, were of opinion that a prohibition of this kind should be previously submitted to the Pope.

When after the Easter break the legates recast the decree on the basis of the April debate and, at first, without the co-operation of the commissions, they kept in mind a remark made by the Bishop of Capaccio on 15 April, that the Council must not on principle decree anything to

<sup>1</sup> The short "Mirror of preachers" appended to the list of abuses, *C.T.*, VOL. V, p. 75, and embodied in Form I (*ibid.*, pp. 107 f.), and Form II (*ibid.*, p. 127), was omitted in Form III (*ibid.*, pp. 226 ff.) and in the final decree. It is not a kind of survival of the medieval *artes praedicandi* (cf. the catalogue of H. Caplan, *Medieval "Artes praedicandi"* (New York 1934); its aim is to meet the difficulties created by Luther's activities and the spread of his teaching in Italy, by such means as, for instance, the prohibition of *contentiosae disputationes* and the discussion of the *incomprehensibilia judicia Dei*, that is, predestination, and a warning against treating *quae re ipsa conjuncta sunt . . . velut disjuncta*, a warning that surely refers to the problem of faith and works. Predecessors of this "Mirror of preachers" are Contarini's *Modus concionandi* (1539) for the diocese of Belluno (Dittrich, *Regesten*, 305-9) and the instruction on preaching also composed by Contarini, by the Pope's order, in 1541. This was printed in 1542 as *Litterae pontificiae de modo concionandi* and reprinted as the work of Pole, in *Quirini Epistolae Poli*, VOL. III, pp. 75-82; finally Pole's own unfinished work *De modo concionandi*. The plan for a *Forma praedicandi*, which was dropped in 1546, was once more taken up by Julius III, *C.T.*, VOL. XIII, pp. 1; 284-7.

which it was impossible to give effect. The consequence was that the draft of the new decree which they submitted to the Fathers on 6 May, after it had been passed by the commission,<sup>1</sup> made no mention of the creation of new theological prebends, nor of a fixed minimum salary of sixty ducats. The legates contented themselves with charging the bishops to appoint, in conjunction with their cathedral chapters, a "suitable theologian" who should receive "an appropriate remuneration". If adequate means were not available, the appointment of a teacher of grammar would suffice, as was already foreseen by the fourth Lateran Council. On the houses of study of religious Orders and the universities the duty was laid of making provision for lectures on Holy Scripture. "Methodus" and catechism were no longer mentioned. The idea of obliging bishops to preach on certain days, and to punish their neglect of this duty with a fine, was dropped. The prelates were even advised to have themselves replaced in the pulpit. The right to authorise regulars to preach in churches other than those of their own Orders was granted to the bishops in a clearer form (the equivocal term *vocatus* being omitted). Parish priests were empowered to do so for their own churches. Regulars preaching in their own churches would need a permit from their superiors, to be renewed annually. This they were to exhibit personally to the bishop in the cathedral city, and elsewhere to the rector of the principal church. The intervention of the parish priests undoubtedly eased the position of the regulars and meant a weakening of the bishops' influence, nevertheless the bishop was authorised to forbid regulars who "spread errors or gave scandal" to continue their preaching and if they propounded open heresies to arrest them and to start proceedings against them in accordance with the prescriptions of the existing law. Thus there was no longer any question of calling in a commissary representing the Order.

In the negotiations in the classes on 7 May and in the general congregation of the tenth of the same month, two tendencies made themselves felt; one was to extend once more the bishops' right of supervision of regular preachers beyond the limits set by the draft and to supplement at once the decree on the study of the Scripture and on preaching laid before the assembly, by a decree on the bishops' duty of residence.<sup>2</sup> There was almost complete agreement in rejecting the

<sup>1</sup> Form II of the decree on preaching in *C.T.*, VOL. V, pp. 125 ff.; for its formulation see above, p. 105, n. 1.

<sup>2</sup> Classes of 7 May and general congregation of 10 May: *C.T.*, VOL. V, p. 131, ll. 15-26; the five points there put together are the joint result of the particular congregations and not merely the result of that of Cervini, the protocol of which is on pp. 528 ff.

right of parish priests to grant to regulars licence to preach, particularly during the two principal preaching seasons, Advent and Lent. As a matter of fact such a concession would have been a mere formality. But the bishops went even further. They now claimed the right to examine in their turn preachers already licensed by their superiors (*ab ipso etiam episcopo probari*), as well as the sole right to proceed against heretical preachers, and the right—against which there was to be no appeal—to forbid them to preach. Their intention, therefore, was to secure the demands made by them in the year 1541, and to extend them. Heavy storm-clouds were gathering on the horizon of the Council.

The other question was to this effect: "How can we entrust to the bishops the training of their clergy and the supervision of everything connected with the proclamation of the faith, when so many of them do not even reside in their dioceses?" For a period of eighty years, Pacheco declared, his former diocese of Pamplona had not seen its bishop because its occupants were invariably cardinals.<sup>1</sup> Accordingly, already in the classes of 7 May, nine bishops demanded a debate on the duty of residence even before the final formulation of the decree on preaching. In the general congregation of 10 May Cardinals Madruzzo and Pacheco took up an idea that had been repeatedly enunciated, and with particular energy in the general congregation of 15 April. It was to the effect that there was an undeniable, intrinsic connection between the proclamation of the faith and the duty of residence, since only a bishop in residence could carry out the duties laid on him by the decree on preaching. For all that, the demand for a discussion by the Council of the bishops' duty of residence, even before the above decree was

A comparison of Severoli's report of 10 May, *C.T.*, VOL. I, pp. 52-6, and the supplementary reports, VOL. X, pp. 481 f.; 485 f., with Massarelli's protocol, VOL. V, pp. 132-6, clearly shows the superior quality of the promoter's reporting over that of the conciliar secretary. The discussion between Del Monte and Madruzzo, which was of the utmost political importance, the invectives of the Bishop of Fiesole against the Orders, which were fraught with weighty consequences, and Pole's concluding observations, are fully reported by the former whereas Massarelli makes no more than a brief reference to them. For the adoption by the bishops of the title *Vicarius Christi* (up to the early Middle Ages, cf. M. Maccarrone, *Vicarius Christi* (Rome 1952), pp. 75 ff., and for the change brought about by the Gregorian reform, pp. 85 ff. The legates' report of 4 May on the diplomatic step taken by Francisco de Toledo, *C.T.*, VOL. X, pp. 478 f. The reports of 7 and 10 May show that the legates hoped to conclude the discussion of the decree on preaching on the 10th, *ibid.*, pp. 480; 483 f.

<sup>1</sup> Pacheco's assertion, *C.T.*, VOL. I, p. 54, l. 25, that the diocese of Pamplona had not had sight of its bishop for a period of eighty years is only slightly exaggerated. The historian of the diocese, J. Goñi Gaztambide, *Los Navarros en el Concilio de Trento y la reforma tridentina en la diócesis de Pamplona* (Pamplona 1947), writes on p. 138: "Durante 60 años (1481-1540) la Diócesis estuvo regida no por pastores, sino por mercenarios."

disposed of, was a political move, and a first-class political move at that. The fact was that on 2 and 3 May the imperial ambassador, Francisco de Toledo, had paid a separate visit to each of the legates, when he communicated to them the Emperor's wish that the discussion of dogma should make room for that of reform. The immediate start of the debate on the duty of residence would have met that wish. For the first time since the Council had got into its stride the Emperor sought to exercise a direct influence on the course of its discussions. The political close season for the Council was at an end.

Francisco de Toledo had allowed it to appear, and the merely officious form of his *démarche* confirmed the view, that the Emperor was not making a formal demand, still less one resembling an ultimatum, but was ready for discussion. This made it easy for the legates to cast their view, which had been negative from the first, in an acceptable formula. Their position would, of course, have been much stronger if they had been able to exhibit the conciliar decision on the parallel discussions of dogma and reform in the form of a decree sanctioned with due solemnity. But they possessed no such decree. On 4 May they asked for instructions from Rome but while waiting for a reply they took good care not to allow the reins of the direction of the Council to be wrenched from their hands *via facti* by an imperial party which was taking shape. This political background accounts for the tempestuous course of the general congregation of 10 May.

It began with a collision between Del Monte and Madruzzo for a seemingly trivial motive. The representative of the King of Portugal, the Dominican Hieronymus ab Oleastro, had complained to Madruzzo that his king's letter to the Council still remained unanswered; this had given rise in Portugal to the notion that the assembly had not as yet got really under way. Madruzzo accordingly moved that the answer, which had been drafted long ago, should at last be despatched. Del Monte, who had met Madruzzo on a walk on the previous evening, took offence at the fact that the latter had not breathed a word about his intention to bring up the matter on the following day and declared that only the absence of postal facilities had so far prevented the despatch of the letter of reply which would have to be signed by the legates. In cutting terms he rejected Madruzzo's mention of the subject as constituting an attack on the legates' exclusive right of making any proposition to the Council. The latter angrily retorted that it had not entered his head to question the legates' ruling authority, but for all that he felt bound to insist on his right to bring up a matter like the present for discussion as occasion

served (*incidenter*). Amid the startled silence of the assembly four prelates of the imperial group gave him their support, namely the Bishops of Astorga, Badajoz, Capaccio and Lanciano. However, Del Monte insisted that though any prelate was free to offer suggestions for the programme of the discussions, these must nevertheless be first submitted to the legates.

Hot on the heels of this first collision with Madruzzo there followed one with Pacheco. With a view to speeding up the tempo of the negotiations, Del Monte proposed that the decree be sent back to the commission without a fresh debate and that they should vote by Yes or No on the alterations that had been made. This was opposed by Pacheco, who also complained that the summaries of the sittings of the classes which had been read out at the beginning of the general congregation, contained only the proposed alterations but not their motivation. This deprived the prelates of the possibility of revising their opinions in a given case. "But in that case we shall never come to an end", the president remarked impatiently while pushing towards Pacheco the sheet of paper which contained the proposed subject of discussion—original sin. This was the very thing Pacheco was anxious to delay! Without allowing himself to be ruffled in any way, he insisted that at the very least all the prelates must be given an opportunity to speak on the proposed reform, hence also those members of the commission who were in the habit of refraining from voting at the sittings of the classes, such as the Bishops of La Cava and Bitonto, both of whom belonged to the president's class. While Cava renounced his right to speak, the Bishop of Fiesole, encouraged by Pacheco, asked to do so. He had already made a fresh attack on the Orders at the session of the classes; now he pronounced an impassioned speech against the proposed reform decree. "With its hair-splitting clauses", he exclaimed, "the decree leads not to the removal of abuses but to their confirmation. The exempt Orders have usurped the rights of the bishops. Unless these are fully restored to the bishops (*in integrum*), they cannot carry out their office of vicars of Christ. They are reduced to testing the genuineness of the preaching licences issued by generals of Orders, but are unable to prevent bad religious preachers from instilling poison into the people from the pulpit."

Del Monte did not fail to lay on Pacheco some of the responsibility for this outburst of the temperamental and zealous, but immoderate and unjust man, and this before the whole assembly which betrayed its pained feelings, though it was impossible to ascertain the innermost

thoughts of most of them. The draft of the decree of 7 May, which was the subject of this attack, was actually a compromise, but at least in view of the bishops' corrective authority over preachers, it was a compromise that favoured the ordinaries. It would have been an injustice to deprive the mendicant Orders of their well earned rights with a stroke of the pen and to drive them, if possible, from the field in which they had laboured since the thirteenth century. It was undoubtedly true that their exemption considerably restricted the authority of the bishops, but among the many exceptions which crossed the jurisdiction of the ordinaries at that time, this was the best, because it was based on achievement. Pole was absolutely right when, in his admirably balanced concluding remarks, he asked the Bishop of Fiesole where the bishops would find their collaborators in their pastoral work if the Orders were to be excluded?

In the Bishop of Fiesole's invective Del Monte saw a direct attack on the Pope's primatial authority. He made him repeat his statement, that the bishops could claim the title *vicarius Christi*—a title which since the Gregorian reform had been exclusively reserved to the Pope. He also asked him whether he upheld the appeal to the tribunal of Christ made by him in his first speech on 15 April—from a formal juridical point of view such an appeal excluded the visible Church as the highest tribunal. The Bishop of Fiesole, who apparently failed to see that the purpose of these questions by the president was to obtain authentic legal data for future judicial proceedings against him, ingenuously declared that he had forgotten the appeal to the tribunal of Christ but cautiously added that it did not bear the character of a formal appeal; that when he made it, he had merely wished to ease his conscience. Nor did he refuse to submit the text of his speech to the legates, by whom it was forwarded to Rome. We must assume that both Cervini and Pole were perfectly clear in their own minds about the grave motives which militated against formal judicial proceedings, whether by the Council or by another tribunal, which could only be the Pope. In any case the legates suggested to Farnese to get this inconvenient personage, who had been a cause of trouble from the beginning, out of Trent, by some means or other.

The stormy general congregation of 10 May had not resulted in the conclusion of the debate as the legates had hoped. The delaying tactics of the imperialists had proved successful. The canonistic advisers of the legates, the auditor Pighino, the consistorial advocate De' Grassi, the promoter of the Council Severoli and the abbreviator Buoncompagni summed up those questions about the decree which still remained open in eight points which were communicated to the prelates

on 13 May. They were to be discussed in three general congregations, on 18, 20 and 21 May.<sup>1</sup> In these Madruzzo took no part, for at the Emperor's request he had left Trent on 12 May in order to attend the Diet of Ratisbon while 14 May witnessed the arrival from Germany of the Dominican Ambrosius Pelargus, the proctor of Johann Ludwig von Hagen, the Archbishop of Trier. On 20 May the latter took part in the negotiations with a consultative, but not a decisive vote. These changes in the personnel led to no shifting of the relative forces at the Council.

With the convocation of the general congregation of 18 May the Council silently underwent a change in its procedure when it was decided not to submit the eight points to the classes, as had been the custom until then. These classes were thus dropped from the conciliar programme of work without a protest. From informal gatherings at which opinions could be freely exchanged and debated, these meetings had developed into doublets of the general congregation and, as could be seen by Pacheco's intervention on 10 May, they had become a most welcome instrument of the imperial delaying policy. Through Maffeo, Cervini had learnt that in the classes the Pope saw the greatest hindrance to a speedier progress of the Council. This hint, combined with the legates' own experience, put an end to an arrangement which had been questioned from the beginning.<sup>2</sup>

<sup>1</sup> General congregations of 18, 20 and 21 May 1546: *C.T.*, VOL. V, pp. 143-61; VOL. I, pp. 56-61; Massarelli's *Diarium III* for the preliminary work, VOL. I, pp. 546 ff. As was observed on p. 105, n. 1, Form IIA of the decree on preaching submitted on 18 May has not been preserved. The *quinque capita* mentioned in Massarelli's *Diarium* on 21 May, *C.T.*, VOL. I, p. 549, l. 27, correspond to points 4-8 of the *Summarium*. The only legatine report on the discussions is that of 22 May, VOL. X, pp. 495 ff.; that of the 19th, *ibid.*, pp. 492 f., expresses the legates' satisfaction with the Roman decision of the 13th, *ibid.*, p. 486, which had reached them the day before, on the Emperor's suggestion of the postponement of the dogmatic deliberations. In his letter to Farnese, Cervini did not refrain from commenting on Rome's present satisfaction with the parallel discussion of dogma and reform which at one time it would not hear of, *ibid.*, p. 494, l. 23. For the Dominican Ambrosius Pelargus's mandate, dated 24 February 1546, from Pfalz, near Trent, see VOL. V, pp. 141 ff.; for his life and writings see N. Paulus, *Die deutschen Dominikaner im Kampf gegen Luther*, pp. 190-212; S. Ehse, "A. Pelargus auf dem Konzil von Trient", *Pastor bonus* IX (1897), pp. 322-8; 561-7; XIX (1906-7), pp. 538-43. The cause of the verbal exchange between the Bishop of Astorga and Del Monte, *C.T.*, VOL. I, pp. 58 f., is revealed by the former's remark related by Severoli, *C.T.*, VOL. X, p. 482, l. 25, to the effect that the reform must begin with the cardinals not being given bishoprics and by their learning once more to practise "humiltà" and "parcimonia". Particulars about the brief of 25 April 1546, submitted by Pacheco, *C.T.*, VOL. I, pp. 54, l. 30; 546, l. 34.

<sup>2</sup> The main cause for the slackness of the particular congregations was the delay in drawing up an order of procedure. Since the beginning of April notes of the discussions had been taken in all the classes, experience having shown the impossibility of fixing

As was to be expected, the rejection of the Emperor's suggestion to delay the discussion of dogma met with the Pope's unqualified approval. He advised the legates to remain inexorable on this point. By forgoing the discussion of dogma the Council would be unfaithful to the main task assigned to it in the Bull of Convocation. It would forfeit all credit if it allowed itself to be used as a tool of imperial policy. They would furnish the French with a welcome excuse for their refusal to attend the Council. These arguments proved decisive. The legates accordingly entered upon the discussions on 18 May with a firm resolve to remain unyielding on the question of the conciliar programme and if necessary, should the Emperor press his suggestion, to agree even to a suspension of the Council.

They were no less determined not to tolerate any tampering with their right of making proposals. On 18 May, and again on the twenty-first, Pacheco proposed that the Council should take up the debate on residence even before the decree on preaching was completed. If the legates allowed this proposal to be discussed they would create a precedent which could be alleged against their hitherto undisputed right of making proposals. They would run an equal danger if a theoretical debate on the right of making proposals were to flare up. As the Bishop of Fano wrote on 15 May, the legates could only lose by such a debate and gain nothing; hence they were bound to do their utmost to keep clear of it. On the other hand, if they wished to maintain the system of conciliar direction as it had come to function during the first months of the discussions, they were bound to yield to the manifest wish of the majority of the members of the Council, which was to defer the debate on the bishops' duty of residence to a later date, that is, that it should be the first item on the conciliar programme as soon as the decree on preaching was disposed of. These elastic tactics served them

their results by any other means. Thus it came about that, e.g. the summaries of the classes of 13 April were read out in the general congregation of the 15th. But it was precisely the introduction of this practice, that is, of something like the drawing up of minutes, that altered the character of these meetings; from discussion-groups they became congregations with the right of formulating preliminary decisions. Hence Del Monte's observation on 14 April, that the classes should be put a stop to, "*ut taedium repetitionis fugiamus*", *C.T.*, VOL. I, p. 50, l. 38. Two circumstances determined their abandonment: first, Pacheco's demand on 10 May, VOL. V, p. 54, l. 39; VOL. I, p. 134, l. 26, that the summaries of the classes should also indicate the motives of the suggested alterations, that is, that they should be so enlarged as to form a complete protocol which would have put the classes on the same footing as the general congregations. Secondly, the Pope's hint, VOL. X, p. 463, l. 22, which was merely a repetition of his objection to the whole arrangement from its very start. In this he was in agreement with that experienced jurist, the Bishop of Astorga, VOL. V, p. 19, l. II.



well in this instance and, as at the end of January, they proved completely successful.

In the still greatly agitated general congregation of 18 May it seemed at first as if the assembly were in for an exhaustive debate on the very principle of the right of making proposals. The sharpness with which the president had defended it on 10 May had been taken as a deliberate affront by a number of prelates and had done the subject no good. When Del Monte once more briefly returned to it in his introductory address, Pacheco also stressed what they all held, namely that authority to lead the Council, to have proposals discussed and voted upon, was the legates' exclusive right. The bishops were indeed entitled to make proposals but they could not submit them for discussion without the agreement of the legates. Thereupon the Bishop of Astorga rose and declared that in accordance with the practice of the ancient Councils every bishop enjoyed in principle the same right to make proposals as the legates. Like Bishop Hosius of Córdoba at the Council of Sardica, so at Trent also every bishop was entitled to submit for discussion any proposals he had to make for the good of Christendom and all its parts, and to have a vote taken upon them. Del Monte objected at once that this principle was at variance with Roman Law which assigned the presidency of the senate to the consuls and that of the popular meetings to the tribunes of the people. To this Astorga replied: "I am not now disputing with jurists; I am addressing bishops gathered in Council who must know that in such an assembly they may bring up for discussion whatever is seemly (*honestum*). If every proposal needs the concurrence of the legates, will the so urgent need of a reform of the cardinals ever appear on the conciliar programme?"

Not even Pacheco succeeded in steering his Spanish fellow-countryman back into a middle course. "I need no advocate, I can conduct my case myself", was Astorga's proud claim. There was no further intervention by the president in this dispute: it was enough for him that the senior prelate in rank and the acknowledged leader of the Spaniards should have parted with his colleague. The debate on questions of principle was at an end for the time being.

The other burning topic which had appeared in the general congregation of 10 May was still smouldering on the eighteenth. The Bishop of Fiesole's invective, Del Monte declared, was a calumny of the Pope. The privileges granted by him to the mendicant Orders did no injury to the divine right of the bishops. It was an insult to the Orders; an act inspired by demagoguery inasmuch as it roused the two parties,



GIROLAMO SERIPANDO

*After an etching by Francquart of a portrait by Galle  
in the British Museum*



the bishops and the regulars, against each other; nay, it was a schismatic act because it questioned the Pope's right to grant to religious, through their superiors, licence to preach. However, the subject of these violent accusations had no intention of admitting his guilt. He was evidently well aware that he had many more secret sympathisers among the members of the Council than appeared openly, so that he had no cause to fear the judgment of that assembly. The prelates' feelings towards the regulars had grown worse with every passing week. Pacheco put before the legates a brief only a few weeks old; it was dated 25 April 1546 and addressed to the Franciscan Observant Antonio di S. Michele. The document apparently exempted him and all his fellow-religious from the jurisdiction of the Inquisitors in matters of heresy, hence also from the Spanish Inquisition. The cardinal accordingly asked: "Does not this amount to giving free rein to the Orders? If such a thing is done during the Council, what will happen when it is over?" At the instigation of Pacheco and Astorga, Bertinoro, who felt Fiesole's outburst as a personal attack, was not allowed to read an apology prepared by him. Even the Bishops of Fano and Aquino insisted that the Bishop of Fiesole should receive brotherly and kindly treatment, although the Bishop of Caorli declared that he knew that Fiesole's name was already being bandied about by the Lutherans. The general of the Servites, who had been attacked by him on account of his sermon at the Session on 8 April, was refused permission to submit the dispute to arbitration. Del Monte persisted in his policy of putting off the affair. It was evident that the legates were unwilling to take a single step in this delicate matter without instructions from Rome. These were not forthcoming and the Council left it at that.

The course of the general congregation of 18 May was decisive for the guidance of the Council. Its direction remained firmly in the hands of the legates and the Council got once more under way. The general congregation of 20 May passed so quietly and kept on so high a level that Massarelli described it in his diary as "the most dignified and the most learned" of all the previous ones even though it realised only very imperfectly the purpose for which it had been convened, namely a firm statement of the Council's will with regard to Biblical lectures in monasteries and convents. This congregation is of the greatest interest for us from the point of view of the history of ideas because it brought to light the humanistic motives which were at work all through the debate on the reform of theological studies and of preaching. On the surface the debate turned on only two questions of quite secondary

importance, namely whether Biblical lectures were to be held, or as the case might be, introduced, in the old monastic Orders, and whether in the houses of study of the mendicant Orders these lectures were to be given the first place. But in reality it was the position of scholasticism that was on the agenda on that day. Don Isidoro, Abbot of Pontida, near Bergamo, and editor of a Latin Bible revised in accordance with the original texts (1542), basing himself on the great tradition of the Benedictine Order, advocated the establishment of Biblical lectures in the monasteries of monks but declined to have anything to do with scholasticism as it was liable to create discord.<sup>1</sup> He was opposed by the Dominican Domiño Soto, professor at Salamanca and the Emperor's theologian at the Council. Scholasticism, he argued, was indispensable for theological controversy, but the place it should hold among theological lectures should be decided in accordance with the existing constitutions of the Orders. (This would have insured the primacy over Biblical studies which scholasticism had hitherto enjoyed.) In point of fact, since the object of the monastic Orders was contemplation they should be excluded from the teaching of theology.<sup>2</sup>

In the persons of Don Isidoro and Domiño Soto Christian humanism, with its links with the ancient Benedictine tradition, came in conflict with a nascent scholasticism. The debate showed that at this time the two tendencies were approximately of equal strength. Ten years later the result would have been very different. Far more sharply than Don Isidoro, the Bishop of La Cava rejected scholasticism, lock, stock and barrel—*damnavit scholasticas disciplinas*. Even two bishops, both of them Dominicans, namely those of Fano and Bertinoro,<sup>3</sup> emphatically defended the primacy of the study of the Bible. Seripando, the guardian of scholasticism in his Order, only issued a warning against

<sup>1</sup> For the Benedictine Isidorus Clarius, whose real name was Taddeo Cucchi (1495-1555), a monk of the abbey of Monte Cassino, repeatedly elected abbot and since 1547 Bishop of Foligno, see Lauchert, *Die italienischen literarischen Gegner Luthers*, pp. 443-51; G. Bilanovich, *Tra Don Teofilo Folengo e Merlin Coccaio* (Naples 1948), pp. 122 f. (relations with the poet Teofilo Folengo).

<sup>2</sup> Domiño de Soto (1494-1560), professor of theology at Salamanca since 1532, imperial theologian at Trent, since 1548, Charles V's confessor: see *L.Th.K.*, VOL. IX, p. 682; V. Beltrán de Heredia, "El maestro Domiño Soto catedrático de Visperas en la universidad de Salamanca 1532-49", *Ciencia Tomista*, LVII (1938), pp. 281-302; *id.*, "Domiño de Soto en el Concilio de Trento", *ibid.*, LXIII (1942), pp. 113-47; L. González Vela, *Personalidad de Domiño Soto* (Segovia 1945), I have not been able to consult.

<sup>3</sup> The remarks about the Bishop of Bertinoro in the protocol, *C.T.*, VOL. V, p. 151, l. 38, "laudavit scholasticam disciplinam", is not only at variance with Severoli, *C.T.*, VOL. I, p. 61, l. 7, but with the whole attitude of that prelate in the course of the previous debates.

its excrescences—*vanae disputationes*. There was scarcely anyone to share Soto's view that the monastic Orders and their Biblical theology should be debarred from teaching.

On the other hand scholasticism found its defenders not only in the ranks of the mendicant Orders (Bitonto, Pelargus), but even among the prelates who had become acquainted with the controversial questions, as for instance the Archbishop of Armagh who had been in Germany in 1541 on a papal mission,<sup>1</sup> the Bishop of Lucera, Fabio Mignanelli, who in 1538/9 and 1545 had officiated as nuncio at the court of Ferdinand I,<sup>2</sup> the Bishop of Aquino, Galeazzo Florimonte, who though known as a humanist had recently (1545) entered the field of controversy with a book on free-will.<sup>3</sup>

Thus the discussion was by no means concerned with trifles (*res vilissimae*) as Del Monte had complained in his concluding remarks; he was, however, right when he complained that the debate of 20 May yielded very little for the formulation of the decree. All were agreed that Biblical lectures should be introduced in the houses of the monastic Orders, but opinions were divided about the other question, namely, what place should be assigned to these lectures in the houses of study of the regulars and at the universities. A third general congregation was required (on 21 May) in order to bring to a conclusion the discussion of the eight questions that had remained open after the general congregation of 10 May. The result was the decision that the payment of the Biblical lecturers that were to be appointed for the first time was not to be left to the judgment of the bishops. It was to be assured by the bestowal of the first free cathedral prebend, even if it happened to be reserved to the Pope. In pursuance of this decision the legates, as early as 15 May, pressed Rome for a brief by the terms of which the Pope would declare in advance his agreement with this ruling. The strict obligation of bishops—primates and archbishops included—to preach in person and, if prevented, to do so through a substitute, was taken as accepted. The concession—at bottom a compromise—that they might make use of a manuscript when preaching, was dropped. A fresh move by Pacheco

<sup>1</sup> For the Archbishop of Armagh see H. Jedin, "The blind Doctor Scotus", *Journal of Ecclesiastical History*, 1 (1950), pp. 76-84; J. Durcan, "Robert Wauchope, Archbishop of Armagh", *Innes-Review*, 1 (1950), pp. 48-65.

<sup>2</sup> For Mignanelli's work in Germany, see the "Introduction" to *N.B.* 1, VOLS. III and VIII.

<sup>3</sup> Galeazzo Florimonte (1484-1565) is chiefly known in the history of Italian literature through his relations with Giovanni della Casa; he has also found a biographer; cf. H. Jedin, *Seripando*, VOL. II, pp. 292 f. Lauchert, *Die italienischen literarischen Gegner Luthers*, p. 685; see below, CH. XII.

for the immediate discussion of the duty of residence, that is even before the decree on preaching was concluded, did not as yet succeed but it became quite clear that the majority of the prelates (twenty-seven of them) regarded the problem of episcopal residence as the most urgent point of Church reform. The clause to the effect that parish priests might permit exempt religious to preach not only in a particular instance, but even during the chief preaching periods, Advent and Lent, was rejected by almost the whole assembly.

When reporting to Rome on 22 May the legates could quite properly describe the debate on the decree as terminated. They only waited for the Curia's comments on the text (Form IIA) which they had despatched on 15 May, and on the summary of the three general congregations of 18, 20 and 21 May, with which they had followed up the draft of the decree. After that they intended to secure for it the Council's final approval immediately before the Session fixed for 17 June. But this hope proved deceptive. As early as the beginning of June doubts arose in their minds as to whether in its present form the decree would meet with the Council's approval. The comments of the Roman commission of cardinals, which had spent two sessions studying the text, covered six sheets but they have not been preserved.<sup>1</sup> The brief the legates had prayed for only reached Trent after some delay, on 13 June. It contained the Pope's renunciation of the right of nomination to such prebends as were set aside for the endowment of the prospective lectureships, but what was most ominous was the fact that the violent opposition between the bishops and the exempt Orders had not abated in the least. With ever-growing determination the prelates demanded a curtailment of the privileges of the religious Orders. The legates accordingly welcomed the declaration of the Roman commission that the Curia had no objection to such a curtailment of papal exemptions as was contemplated. The new draft (Form III) which was agreed upon at a conference of the legates on 15 June, yielded to the bishops' demands to the extent of making the preaching licence of the regulars depend, without any exception, hence even in their own churches, on the consent of the bishops. It also authorised the latter to proceed against heretical preachers without the concurrence of the respective religious superiors, not indeed in virtue of a personal right but as the Pope's commissioners.<sup>2</sup>

<sup>1</sup> The discussions of the Roman deputation of cardinals on Form IIA of the decree on preaching, *C.T.*, VOL. X, pp. 498, l. 14; 506, l. 33; 511, l. 22. The legates' first doubts about its being accepted, *ibid.*, p. 510, l. 7.

<sup>2</sup> Alterations in Form III of the decree on preaching, *C.T.*, VOL. V, p. 226, l. 25. Disposal of simple benefices for the endowment of lectureships, *de capituli consilio et*

The cause of the exempt Orders was in a bad way. Of their natural defenders, the generals of Orders, only those of the three smaller mendicant Orders, namely the Hermits of St Augustine, the Carmelites and the Servites, were present at Trent, while the two great Orders, the Dominicans and the two branches of the Franciscans, were not represented by their generals. At the general congregation of 15 June<sup>1</sup> Pacheco and a minority of fourteen bishops in all supported the continuation of exemptions in the regulars' own churches, but the majority approved the proposed alteration. A change only occurred when the Augustinian general Seripando, in a discourse which was generally hailed as a masterpiece, pointed out the harshness of a measure by which the exempt religious, who up to this time had relieved the bishops of most of the burden implied in their duty to preach, would henceforth be completely dependent on them, even within their own churches: "How could I face my own Order", he exclaimed "in an attempt to justify my conduct, if I were confronted with the reproach that I gave my assent to this over-hasty decree which deprives us of almost all the privileges which the Popes have granted to us?" The generals of the Carmelites and the Servites supported Seripando's arguments. Pacheco declared himself fully persuaded and skilfully smoothed over the unfavourable impression created by an outburst of the general of the Servites against non-residing bishops. Both the president and a group of prelates headed by the coadjutor of Verona advocated a softening of the decree.

On the following day, 16 June, before the opening of the general congregation, the theologians of the mendicant Orders gathered before the door of the hall where the meeting was to take place. Their

*consensu*. However, the chapter's right to give (or to withhold) its consent, was dropped. An additional section on the admission of religious living outside their monasteries to a lectureship, after a previous examination by the bishop, *ibid.*, p. 227, l. 3. The omission of the "Mirror of preachers" at the end of the decree has already been mentioned, p. 108, *n.* 1.

<sup>1</sup> General congregations of 15 and 16 June: Severoli's report, *C.T.*, VOL. I, pp. 77-80, alone enables us to realise the importance of Seripando's address which is only lightly touched upon in Massarelli's protocol, *C.T.*, VOL. V, pp. 228-35. In like manner Pacheco's question about regresses, so characteristic of his distrust of the Curia, is only found in Severoli, *C.T.*, VOL. I, p. 80, l. 3. The result of the vote in the session, VOL. V, pp. 243 f., shows a total of eleven unfavourable votes, including a formal protest by the Bishop of Fiesole, but only seven votes were opposed to the compromise in connection with the licence to preach for members of the religious Orders. Four of these (the Bishops of Sassari, Aquino, Belluno and Calahorra) did not insist on episcopal approval of these preachers in the churches of their own Orders, but they claimed the right of vetoing a preacher, should the necessity arise. In the general congregation of 16 June, *C.T.*, VOL. X, p. 527, l. 15, the legates claimed that there were no more than three or four unfavourable votes.



spokesman, the Conventual Francesco de' Patti, of Palermo, falling on his knees, pleaded for a hearing: "Our generals and their counsellors", he explained, "are far away, occupied as they are at the general chapters which are being held at this very time. Our prayer is that you hear them before you withdraw our privileges."

This demonstration by the mendicants, the only one of the kind during the whole course of the Council, completed the reversal of feeling which had begun on the previous evening. At the beginning of the general congregation the prevailing tendency was to postpone the decision on the privileges of the Orders in accordance with the above request, but towards the end of the debate the view gained ground that the decree should be softened down and then be published. Thereupon the president produced a formula prepared beforehand, by the terms of which regulars required the authorisation of their superiors to preach in their own churches but were not in need of a licence from the bishops to whom they were only bound to present themselves for the purpose of getting their blessing. The Council approved the formula by forty-five votes against thirteen, thus reverting to the solution which the commission had proposed at the beginning of the debate. We can understand the indignation of the Bishop of Fiesole, that "so pious and holy a decree", as Form III was in his opinion, should not become law. However, the change of opinion in favour of the Orders, which no one could have foreseen, was irrevocable and in the Session the number of the opponents to this settlement of the question of the authorisation to preach shrank to a mere seven.

The decree on "[Bible] reading and preaching", published in the fifth Session, held on 17 June 1546, was the first, and we may add at once, the only successful attempt to combine Church reform with what ever was sound in Christian humanism. The commission which submitted the first draft included several adherents of the humanistic reform movement, men like the Bishops of La Cava, Fano, Bitonto, and Seripando. But if their proposals made any headway, it was solely due to the fact that the whole Council—including even the mendicant Orders—was honeycombed with humanists and presided over by men like Cervini and Pole. When we consider the Council's action it is of the utmost importance that we bear in mind that when the Christian humanists pressed their aim—which was to raise the educational standard of the clergy, and to secure for the Bible a privileged position in the teaching of theology—they were actually linking up with an institution of the late Middle Ages. Compliance with their demands

would only restore to their original purpose the theological prebends prescribed by the fourth Lateran Council and add to their number since the first vacant prebend would be set apart for the endowment of a lecturer at those cathedral and collegiate churches where no such prebend existed. If no prebend was available, or if its revenues were inadequate, the ordinary was bound to apply to this purpose a simple benefice, that is, one to which no pastoral duties were attached or, failing this, to deduct appropriate contributions from the other prebends. In smaller localities the place of the Biblical lecturer was to be taken by a teacher of grammar from whose school the future clerics would pass on to that of the professor of theology.

The Council evidently shrank from establishing a new system of clerical formation, contenting itself with developing the existing one. As time went on it was seen that this measure was inadequate; hence its historical bearing was very limited. Even before the decree received papal confirmation, thereby acquiring force of law, opinion on the humanistic programme of reform changed in favour of a revitalised scholasticism; but it was likewise seen that something new, something more thorough must be done for the theological training and the professional formation of the future priests. This new thing was the establishment of seminaries for priests which was decided in the twenty-third Session of the Council.

On the other hand the bishops' and priests' obligation to preach has become an essential element of the Tridentine reform of the Church. The bishops' obligation to preach was repeatedly insisted upon by the Council and in Session XXIV, c. 4, it was described as their chief duty (*munus praecipuum*). During the course of the Council the parish priests' obligation to preach on Sundays and holy days was reinforced by a number of ordinances, all of which tended to intensify their pastoral activities. The compromise arrived at between bishops and exempt regulars on the question of the authorisation to preach already shows the direction in which the Tridentine juridical evolution was to move: on the one hand the bishops' authority was to be strengthened by the conveyance to the ordinaries of powers of which the Pope is the depository, while on the other hand the privileges of exemption were to be safeguarded. This compromise rested on a decision of fundamental significance and was fraught with weighty consequences. It was taken by the Pope in person, though with the active participation of the legates. By its terms Paul III abandoned the policy he had hitherto pursued, the policy, that is, of working for a general reform of the Church and the

## THE COUNCIL OF TRENT

Curia without the co-operation of a Council. Within clearly and carefully defined limits this task was now handed over to the Council. This made possible the drawing up of a programme for the conciliar discussions on Church reform which had been wanting up to this time.

## A Definitive Programme for the Council. The Decree on Original Sin

FOUR months had elapsed since the opening of the Council, but for all that the legates, in whom the right of proposing the subject-matter of the discussions was vested, did not as yet know what programme to submit to the assembly. Only one thing was settled, namely that they must go forward along two parallel ways—dogma and reform—but whither they were to move was not determined.

Since the end of February there had been a constant exchange of views between the legates and Rome on this fundamental question. Two ways lay open before them.<sup>1</sup> The first was a continuation of the discussion of methods which had begun in February and whose first results were submitted at the fourth session. Once the Creed, the Holy Scriptures and the apostolic traditions had been accepted as authentic sources of revelation it was natural that the next step should be a discussion of the Church's teaching office in its various expressions, such as conciliar decisions, papal decretals and ecclesiastical traditions, as was actually done soon afterwards by Martin Pérez de Ayala in his book on traditions (1548) and by Melchior Cano in his famous *Loci theologici* (1563). This done, it was advisable not to stay content with laying down principles, as when treating of the doctrine of the apostolic traditions, but to set forth at the same time the definitions of earlier Councils concerning the present controverted doctrines. The remainder, for which it was not possible to appeal to previous dogmatic decisions, would prove more troublesome, but it would be possible to dispose of it within a reasonable time. If they chose this way for the

<sup>1</sup> The first exchange of ideas on the question of a programme is in the legates' report of 21 February 1546, *C.T.*, VOL. x, pp. 393 f., and in Farnese's reply of 4 March, *ibid.*, pp. 406 f. As late as 15 April, *ibid.*, x, p. 458, Seripando still favoured the definition of all controverted questions in a single Session. He wanted a complete list to be drawn up on the basis of the *Confessio Augustana* and submitted to the Council. In this way they would avoid the risk of the opponents attacking the very first conciliar decisions while the remaining ones were not yet ready. The legates' second enquiry, dated 15 April, in VOL. x, pp. 458 f.

discussion of dogma, the parallel way, the discussion of reform, could be followed with ease, for the debate on the earlier Councils and the ecclesiastical traditions was sure to yield suitable reform measures and among them some, no doubt, which would apply to the practice of the Roman Curia.

This possibility, which the legates were the first to point out, met with the approval both of the majority of the Roman commission and of the Pope himself. On the other hand, in the session of the commission of cardinals on 3 March, serious objections had been raised against this way. Would not such discussions of conciliar decrees and papal decretals revive the old controversy about the division of authority in the Church, hence about the relations between Pope and Council? To circumvent such a dispute was one of the first principles of any conciliar policy. Other questions also came up in the course of the meeting. Which of the earlier Councils had actually received papal confirmation? If they were to adopt decrees of earlier Councils, would it not become necessary to supplement them, so as to bring them up to date?

These misgivings in Rome, but even more the conclusions at which the legates themselves arrived during the last phase of the debate on Tradition, seem to have dissuaded them from this first way of proceeding though it had already been approved in principle by the Pope. When at the conclusion of the fourth session in mid-April they had to ask themselves what dogmatic subject they should lay before the Council, they clearly perceived one thing that cannot cause a moment's hesitation to the historian, namely that the method proposed by them was ill-considered and concealed grave risks. A debate on "authorities" in a dogmatic argumentation would lead straight into the very centre of the controverted problem of divine and human right in the Church and of the question of the division of authority. On the other hand they granted what was repeatedly pointed out in the course of the debate on traditions, namely that the termination of the discussion of methods after the fourth Session could easily give rise to an impression that its decree on Scripture and Tradition contained an exhaustive enumeration of all the "authorities" on which the Church's teaching was based. But if they took in hand the ecclesiastical traditions, it was meaningless and besides quite impossible, merely to lay down a principle, as when they dealt with the apostolic traditions. It would be necessary to enter into details, to enumerate such traditions by name and thus venture into the boundless depths of Church history. The decisive argument against this way of proceeding was the conviction that it would introduce conciliar theory

into the Council's programme. On such a venture they could only embark if the Council were held in the Pope's presence and "in his own house", that is in Rome, Bologna or in some other city of the Papal States. Although they did not finally drop their first proposal, in their report of 15 April the legates no longer pressed it but rather urged an alternative one which they had merely outlined on 2 February. This was that the dogmatic discussion should begin with the doctrine of the Trinity, of the creation and the fall of man, and be followed by the discussion of original sin, redemption and justification. The cardinals of the commission had objected at the time that such a programme went beyond the range of the controverted doctrines. They should strictly limit themselves to the latter and, in fact to the essential ones among them (*discordie sustantiali*). They accordingly proposed that the Council should begin by debating the most important of the controverted dogmas namely original sin and justification. The Emperor and his adherents at the Council would of course endeavour to delay these debates. They would likewise have to reckon with the fact that not a few of the Fathers of the Council and some of its theologians entertained a certain amount of sympathy for the new doctrine of salvation. However, the chief difficulty was that none of the points requiring reform had any immediate connection with the dogmas of original sin and justification. The consequence would be that, in compliance with wishes already expressed, the bishops' obligation of residence would have to be put on the agenda, but in that case a section of the prelates would lose no time in opposing the Curia's appointments to offices and other "impediments" to their residing in their dioceses. Ventilation of the bishops' obligation of residence would lead to a debate on the reform of the Roman Curia. Such a topic should not, and could not, be left to the Council. To do so would be tantamount to a direct invitation to them to walk in the footsteps of the men of Basle.

Up to this time the legates, and Cervini more than his colleagues, maintained the view that the reform of the Curia must be left to the Pope and must be kept out of the deliberations of the Council. Cervini never wearied of pointing out to the Pope the need of an immediate reform of the Curia, so that the Council should have no pretext for laying its finger on these sores. However, when Rome at last made a move, it was too late. On 17 February Cardinal Farnese forwarded to the legates the text of a Bull which had been drafted towards the end of the year 1541. Its object was to widen the bishops' rights in the government of their dioceses and to remove at least some of the

grievances with which non-residing prelates excused their conduct.<sup>1</sup> We must revert to the origin and the content of this Bull (cf. VOL. I, pp. 443 f.) if we are to be in a position to measure the full bearing of the impending decision.

On 13 December 1540 the Pope had solemnly warned the bishops then living in Rome to repair to their dioceses and to fulfil the duty of residence. Their answer had been a list of no less than thirty-one "impediments" which, in their opinion, rendered a fruitful activity in their dioceses impossible. They were: the weakening of their jurisdiction by a number of exemptions, both of particular persons and of entire bodies (Orders and cathedral chapters) as well as by the faculties enjoyed by legates and nuncios; the frequent by-passing of the ordinaries at the ordination of their subjects and their slender influence on appointments to offices; the abuse of the right of appeal to Rome; the curt treatment of bishops by the Roman officials and tribunals; the preponderance of the secular authority in the administration of Church property and in judicial decisions in connection with questions of benefices.

On the basis of these episcopal grievances and subsequent to an examination of them by the cardinals' commission for reform, a Bull had been drafted at the close of the year 1541, *In favorem ordinariorum*, which met the bishops' demands on several important points. It laid down the principle that the pastoral activity of the exempt Orders was subject to the supervision of the ordinaries. It forbade the concession of further exemptions in the future and considerably restricted the existing ones—more particularly the personal ones. It forbade appeals to Rome over the head of the immediate authority and made an effort to enhance the bishops' dignity by strict directives concerning their juridical position, their faculties and their relations with the nuncios. The tone of the Bull was naturally enough much more restrained on all points that concerned the State and other lay authorities. These it "prayed and exhorted" not to meddle with the Church's jurisdiction. On its part, the Curia declined on principle to forgo any of its existing rights, thus the bishops' demand that they should have the free disposal of all pastoral benefices in their respective dioceses was not granted.

<sup>1</sup> The text of the Bull *Superni dispositione consilii*, with the *impedimenta* and the whole of the remaining material, in *C.T.*, VOL. IV, pp. 481-500; its despatch to Trent, VOL. X, p. 384. I cannot agree with Ehses's opinion, *C.T.*, VOL. IV, pp. 498 f., that the Bull was not published in 1542 because of an intention to lay it before the Council. The legates' correspondence of the year 1546 shows that the Curia did not intend even then to submit the Bull to the Council, but merely wanted the legates' opinion on it.

The Bull represents an attempt to further the efforts of bishops who were prepared to reform by the removal of a series of glaring abuses, though without abandoning the basic position of the Curia and without provoking a conflict with the State. For all that, so strong was the opposition which the Bull encountered at the Curia, especially on the part of the cardinals, that though it was laid before the consistory on 2 December 1541, it was never given force of law.

The legates regarded the Bull as a draft for the general reform of the Curia, the necessity of which Cervini had never ceased to emphasise. When asked for their opinion, the legates declared on 7 March 1546 that the Bull was quite inadequate.<sup>1</sup> The bishops assembled in Council, they explained, insist on being given complete freedom in their arrangements for the cure of souls in their dioceses. Their minimum demands are: the disposal of all pastoral benefices by the ordinaries; the abolition of exemptions in connection with preaching, the hearing of confessions, and the cure of souls in general; the prohibition of the ordination of clerics without the permission of the competent episcopal authority; the abolition of the commissaries for the indulgence connected with the building of St Peter's as well as of the indulgence of the crusade.

However, even if the Pope were to acquiesce in these demands, he would not give full satisfaction. A reform of the Church by the Pope, without the co-operation of the Council, was no longer possible. The bishops might conceivably have accepted such a reform in the first days of the Council, while its progress was still uncertain and the extent of its freedom of action and its authority remained undefined; in fact, such a reform might even have been regarded as a magnanimous step by which the Pope sought to meet them half-way. But by this time they had developed such a sense of their own importance that to suggest such a curtailment of their authority in council would not be without risk. The papal secretary Maffeo was quite right when he declared that this reply of the legates was tantamount to a complete abandonment of the standpoint they had hitherto adopted, and Cervini frankly agreed with him. The Pope was far-seeing enough to fall in with their view. After a thorough discussion of the problem by the Roman conciliar commission he announced in the consistory of 22 March that he had

<sup>1</sup> The legates' answer of 7 March 1546 on the Reform Bull, *C.T.*, VOL. X, pp. 410 ff., 415, 424, 426 f., 447. Report of the imperial ambassador, Juan de Vega, on the consistory of 22 March, VOL. XI, p. 42. Carlo Gualteruzzi was therefore well informed when he wrote to Giovanni della Casa on 27 March: "Si è rimessa la reformatione de' costumi al concilio", Bibl. Ricci 4, fol. 167<sup>r</sup>, or.



decided to instruct the legates in the sense that the Council may not be forbidden, on principle, to deal with the reform of the Curia. However, the concession was restricted by considerable qualifications. They were to the effect that (1) the Pope may not be debarred, on principle, from the bestowal of benefices. This meant the maintenance of the reservations. (2) Exemptions may be restricted in so far as they hinder the cure of souls, but they may not be completely abolished since in that case the Orders would forfeit their independence. (3) The grant of expectancies already made may not be simply annulled, but in future an effort would be made to avoid granting them in the months reserved to the ordinaries. (4) The grossest abuses connected with indulgences have already been removed; however, the Pope is willing to listen to further suggestions. (5) The reform of the Dataria will be carried through without a decree, *viâ facti*, before the Council tackles it.

Thus the Curia's general policy had undergone no change in the last five years; the only difference—and it was a noteworthy one—was that the coming reform would not be one-sidedly decreed by the Pope, but would be prepared and decreed by the Council. We may add that, in spite of a number of particular modifications, this general line remained substantially unchanged up to the termination of the Council. In point of fact at no time did the Council meddle with the reform of the officials of the Curia as such; rather was its reform gradually effected by the Popes of the reform period, being begun by Paul IV, continued by Pius IV and Pius V and finally completed by Sixtus V.

Although in the instructions for the legates dated 23 March 1546, the Pope agreed that Trent might deal even with reforms that impinged on the domain of the officials of the Curia, this concession did not by any means signify that he himself would take no personal action. The reform of the Dataria was the nerve centre of the whole problem of the reform of the Curia; when the discussion of this came to a standstill, the fate of the other essays at reform, which had begun so hopefully at the end of the thirties, was likewise sealed (cf. VOL. I, p. 434). If the Pope let it be known that he would promote the reform *viâ facti*, and actually fulfilled this promise, it was because he now followed Cervini's advice which he had not previously heeded. On 10 April the legates announced their agreement with the proposed plan, namely that practice was to come first and theory to follow. The better the Curia's practice the more easily would a conflict with the Council be avoided. They asked to be kept informed of the measures taken while they on their part submitted further suggestions. More important than anything else was

the appointment of suitable bishops and the complete suppression of the abuse by which one man could hold several dioceses. Another decisive factor (*parte principale*) was the enforcement of the duty of episcopal residence and the removal of the hindrances to its observance due to the exempt Orders, the secular arm and the Curia, and more particularly, the Penitenzieria. The duty of residence was also rendered difficult by the inadequate revenues of a number of dioceses. Finally they insisted that appropriate measures should be taken so as to make sure that the duties of the pastoral ministry were properly discharged.<sup>1</sup>

In these suggestions we can already perceive the germ of the Tridentine programme of reform, namely the renewal of the episcopate by the appointment of true shepherds, the strengthening of the bishops' authority within their dioceses, the assurance of the cure of souls. During the first two periods of its session the Council took up some of these topics though not resolutely enough to remove existing difficulties. It was only under the leadership of Cardinal Morone that the Council, taking into account various national reform programmes, and in spite of strong opposition on the part of a section of the College of Cardinals, created a new legislation for offices and ordinations, Orders and ecclesiastical tribunals, thereby translating into reality the basic idea of the reform Bull of 1541, as well as the proposals for a reform submitted by the legates in 1546.

The above-mentioned reform Bull was based on the demands of the bishops living in Rome and who were closely connected with the Curia by reason of their offices and their personal relations. At Trent the bishops struck a much bolder note and the legates reckoned with the fact that as more representatives came from Spain, France and Germany, their language would become bolder still, especially if the existing good understanding between Pope and Emperor were to come to an end. For the time being the leaders of the Spaniards practised moderation and even the Bishop of Astorga had assured Giacomelli that for him there could be no question of a reform of the Pope by the Council, though the cardinals and the bishops might well be reformed by that assembly. The sooner the discussions about reform started, the better for Rome. This was also the opinion of the legate Cervini and of the Bishop of Bitonto. However, even the legates were not yet clear in

<sup>1</sup> Cervini urges the speeding of the reform in Rome, *C.T.*, vol. x, pp. 453 f.; on 17 April Maffeo asserts that the reform *viâ facti* had begun, *ibid.*, p. 463. Further representations by the legates on the question of reform (residence, pastoral ministry, etc.) *ibid.*, pp. 460, 464.

their own minds about the extent of the labour this would entail. As late as 12 June 1546 they thought that the whole business of the reform could be covered in a single debate.<sup>1</sup>

With the Pope's attitude to the Council's reform problem thus perfectly clarified, the drafting of the programme for the dogmatic discussions no longer presented any serious difficulties. Acceptance of the second way of proceeding, that is that a start should be made with the doctrine of original sin and justification, suggested itself as a matter of course. The legates had prayed for a clear-cut answer to their proposals by the time the discussions reopened after the Easter pause. Although people in Rome were not inclined to interrupt Holy Week and the Easter festival with committee meetings, care had been taken that the Pope's answer should be in the legates' hands punctually by Low Sunday.<sup>2</sup> In agreement with the cardinals of the commission the pontiff decided in favour of the second way though not without drawing the legates' attention to the risk that once the bishops had secured their main objective in the reform deliberations, namely the extension of their rights, they might lose interest in the discussion of dogma and so take a premature departure, especially if a demand for its postponement were to come from another quarter, that is, from the Emperor, who might be impelled to make such a move by considerations for the German Protestants. The subject of episcopal residence was only to be put up for discussion on condition that it did not encroach on the time set apart for the debate on dogma, so that the principle of a parallel discussion of dogma and reform was maintained.

On the strength of these instructions, which reached Trent on 2 May, the legates began at once the preparation of the decree on original sin.<sup>3</sup>

<sup>1</sup> The Bishop of Astorga's observation on the reform of the Pope, *C.T.*, vol. x, p. 469; Cornelio Musso's opinion "the sooner the reform take place the better", *ibid.*, p. 452; the legates' plan to have the reform discussed in a single debate, *ibid.*, p. 523.

<sup>2</sup> Rome's answer of 29 April 1546, *C.T.*, vol. x, pp. 474 f.

<sup>3</sup> On the formulation of the decree on original sin see the historical-dogmatical studies of F. Cavallera, "Le decret du Concile de Trente sur le péché originel", *Bulletin de Littérature ecclésiastique*, v (1913), pp. 241-58, 289-315; W. Koch, "Das Trienter Konzilsdekret de peccato originali", *T.Q.*, xcv (1913), pp. 430-50, 532-64; xcvi (1914), pp. 101-23; L. Pénagos, "La doctrina del pecado original en el Concilio de Trento", *Miscelanea Comillas*, iv (1945), pp. 127-273. For the previous history of canon 5, see especially Seripando's teaching on concupiscence, cf. H. Jedin, *Seripando*, vol. I, pp. 358-64 (Eng. edn. pp. 318-25); E. Stackemeier, *Der Kampf um Augustin auf dem Tridentinum* (Paderborn 1937), pp. 79-129; C. Boyer, "Il dibattito sulla concupiscenza", *Gregorianum*, xxvi (1945), pp. 66-84; on the other side, see A. Trapé, "La doctrina de Seripando acerca de la concupiscencia", *Ciudad de Dios*, clxix (1946), pp. 501-33. The supplementary clause on Our Lady is discussed by A. Kröss, "Die



MARCELLVS . II . PAPA . POLITIANENSIS . TVSCVS .

MARCELLO CERVINI, later POPE MARCELLUS II  
*After an engraving by Onofrio Panvinio in the British Museum*



By allowing the theologians who were not entitled to a vote (*extra concilium*) to discuss the subject, they flattered themselves with having found means calculated to shorten debates in the future also. The opposition that was to be expected from the imperialist party, above all from the envoy, Francisco de Toledo, to the discussion of controverted doctrines they hoped to overcome without difficulty by pointing to the Ratisbon formula of union which showed that the dogma of original sin was by no means a controverted matter.<sup>1</sup> This evasion—for such it was—they very soon abandoned, for they were not slow in perceiving that the Ratisbon formula of union did not bridge the real divergence between two doctrines but merely obscured it. As early as 13 May the Pope told them in unmistakable terms that he set no value on such an artificial glossing over of the divergence between the imperial and the papal programme of action which, in any case, could not be kept up in the long run. He insisted that the imperialists must be told plainly and without any circumlocution that a beginning must be made with the discussion of dogma. Del Monte took advantage of a move by Pacheco and the Bishop of Sinigaglia at the general congregation of 21 May in favour of an immediate start of the debate on the duty of residence, to communicate to the Council the programme drawn up as a result of an exchange of opinion between the legates and Rome and at the same time to make it clear that the principle of a parallel discussion of dogma and reform must be rigidly followed. He agreed to a discussion of the obligation of episcopal residence on condition that a controverted doctrine was put up at the same time, and he proposed that the subject chosen should be the doctrine of original sin. Even before the Council had formally accepted this proposition the legates, on 24 May, submitted to the conciliar theologians three questions, or rather three groups of questions which had arisen out of a discussion by a group of

Lehre von der Unbefleckten Empfängnis auf dem Konzil von Trient", *Z.K.Th.*, xxviii (1940), pp. 758-66; F. Cavallera, "Dominique Soto et la clause *Declarat* sur l'Immaculée Conception", *Recherches de science religieuse*, iv (1913), pp. 270-4; Th. Ayuso, *El Concilio de Trento y la Immaculada Concepción* (Lérida 1930); S. Varisco, *De peccato originali eiusque relatione ad B. Mariam Virginem tempore concilii Tridentini* (Diss. of the Pontif. Ateneo Antoniano 1946). On the significance of the decree within the framework of the development of the dogma of original sin see *D.Th.C.*, xii (1933), pp. 275-606 (A. Gaudel); on the formulation and meaning of the decree, *ibid.*, pp. 513-31.

<sup>1</sup> The legates' report of 7 May, *C.T.*, vol. x, p. 480, l. 19, and Cervini's report 10 May, *ibid.*, p. 482, l. 42; cf. p. 379, l. 13. In his reply, *ibid.*, p. 487, l. 35, Farnese observed that the answer to the ambassador was "manco viva e efficace di quello che S.S<sup>a</sup> giudica". For the legates' appreciation of this fact, *ibid.*, p. 492, l. 26.

divines the composition of which we do not know, except that they were in the *entourage* of the legates.<sup>1</sup>

- (1) To what testimonies of the Scriptures and the apostolic traditions do the Fathers, the Councils and the Apostolic See appeal against those who deny original sin? From what principle do they derive this doctrine? Who are they who contract this sin, and in what way?
- (2) In accordance with the precedent established by the ancient Councils, the nature of original sin, unlike other sins, must be determined not by definition but by a description of its effects.
- (3) How is man freed from original sin? Is the effect of salvation complete or do certain traces (*vestigia*) remain? And if so, what is their effect?

Those who framed these three sets of questions evidently had a threefold purpose in mind. First of all they sought to induce the theologians to make the positive proofs of the Church's teaching on this subject accessible to the bishops. Secondly, they wished to prevent them from expounding the scholastic controversies on the nature of original sin before the Council and to get them to limit themselves to the descriptive method. The purpose of the third question was that they should formulate the fundamental difference between the Catholic and the Lutheran teaching about concupiscence which remains after baptism.

The list of theologians who spoke in the congregations of 24 and 25 May,<sup>2</sup> differs from that of those who were present at the first congregation of the same kind held on 20 February, by the fact that at its head appear the names of eight "secular" priests even before those of the representatives of the mendicant Orders. Two of these "secular" priests were Jesuits whom the Pope had ordered to repair to Trent, namely James (Diego) Lainez and Alphonsus Salmeron, who had arrived in the city of the Council a few days before, namely on 15 May, and who, as papal theologians, took precedence over the rest. The name of a third Jesuit, Claude Lejay, got on the list by an error due to the fact that in his capacity of proctor of the Cardinal of Augsburg, he had a consultative vote. Then there came four Spanish secular priests, Morilla, Sarra, Herrera, Solis, and the Fleming Cortenbosch. The Dominicans, the Franciscans Observant, but above all the Franciscans Conventual, were

<sup>1</sup> The questions for the theologians on 24 May, *C.T.*, vol. v, pp. 163 f.

<sup>2</sup> List of the theologians present at the discussions during the month of May, *C.T.*, vol. v, pp. 162 f., the *Summa responsionum*, *ibid.*, pp. 164 ff. Biographical details about the two Jesuits Salmeron and Lainez in Gutiérrez, *Españoles*, pp. 54-67, 280-91, and fully for Lainez in F. Cereceda, *Diego Laínez en la Europa religiosa de su tiempo*, vol. I (Madrid 1945), pp. 213 ff.

less strongly represented than in February. On the other hand the Hermits of St Augustine showed their interest in this particular debate in that instead of three, six of their theologians intervened in it.

Even at this time no record was kept of the debates in the congregations of theologians. Massarelli's *Summarium* (*Summa responsionis*) is the only, though very inadequate source for an answer to the question whether the lectures of the conciliar theologians achieved their purpose. If we go by this source we are at least able to state definitely that the essential points of the Catholic teaching on original sin were formulated in the following propositions: Original sin stems (*derivatur*) from Adam's sin; it perpetuates itself not by imitation but through physical propagation (*contrahitur natura ex carne infecta*); it is each human being's own sin but differs from mortal sin in that it is not due to a personal act of the will; its guilt and the penalty due to it (*reatus poenae*) are remitted through baptism but concupiscence and physical death remain even after baptism. From a theological point of view the *Summarium* is unsatisfactory for a number of reasons. For one thing, it does not even exhibit the full scriptural and patristic material while the earlier pronouncements of the ecclesiastical *magisterium* at the Councils—which were of paramount importance for the present gathering—had to be subsequently put together by the legates and communicated to the Fathers for their guidance. As a result of the attempt to by-pass the scholastic controversy of the nature of original sin the answers to the second question lacked clarity. The adherents of Augustinianism were not likely to accept St Anselm of Canterbury's definition of original sin, which was that it consists essentially in the lack of original justice. But if they regarded concupiscence, joined to the *reatus culpae*, as the essence of original sin, in fact if they viewed it not as an effect but as an essential property of it, what would be their attitude to St Anselm's definition? The Thomist solution, that the two elements (the absence of original justice and concupiscence) are like matter and form, is not mentioned in the *Summarium* although five Dominicans had spoken at the conference.

Only one solitary theologian's answer to the questions is accurately known. The Spanish secular priest Juan Morilla, who, as Cardinal Pole's theologian, may possibly have had something to do with the drawing up of the list of questions, stuck closely to it in his tractate on original sin.<sup>1</sup> He begins by proving from Scripture the fact of original

<sup>1</sup> Juan Morilla's tract on original sin, *C.T.*, vol. XII, pp. 553-65. Even Gutiérrez has found but little information about the author, *Españoles*, pp. 656-9. The passage



sin, and from the anti-Pelagian Councils and the decree for the Jacobites he proves that it is a dogma of the Church. He then systematically expounds the theology of original sin, the basis of which is the doctrine of original justice. Before his fall Adam possessed an unimpaired human nature whose powers were all concentrated on God through supernatural grace. As father of the human race, in fact as *the* man (*communis homo*), it was possible for him—by reason of a compact with his Creator—to preserve this original justice for his progeny, on condition that he remained subject to God or, alternatively, to forfeit it through disobedience. By his fall he forfeited both for himself and for his progeny all the gifts with which he had been endowed in the beginning. These were the integrity of his nature, God's special grace (*singularis gratia Dei*), the inner harmony of his soul due to the dominion of reason over the will and the lower powers of the soul, as well as his external happiness which consisted in the subjection of creation to his dominion. Since the fall, man is dominated by evil desire which causes his whole nature and all the spiritual powers of his soul to rebel against the will and the law of God—not forcibly (*non coacte*), yet with a kind of ready necessity (*necessitate quadam spontanea*), and thus makes him a slave of sin. The penalties of original sin are the following: the death of the body and hereafter not only the loss of God (*poena damni*), “as is taught by nearly all scholastic theologians”, but likewise sensible punishments (*poena sensus*), according to St Augustine's teaching as well as that of Gregory of Rimini and John Driedo among recent theologians. Original sin is transmitted to every child of Adam at the moment when the soul, upright in the instant of its creation by God, is united to the body whose generation is tainted by concupiscence.

Morilla's Augustinianism appears in his teaching on the remission of original sin by baptism even more clearly than in the description of its nature. By incorporating us in Christ, the second Adam, baptism blots out the guilt of sin and the sentence of condemnation (*reatum peccati et damnationis aeternae*), and from sons of Adam makes us sons of God; on the other hand it does not remove concupiscence which remains in the baptised *ad agonem*—as an occasion for moral effort. Before baptism concupiscence was a substantial element (*in essentia peccati*) and

about concupiscence remaining after baptism runs as follows: “Sed tanta remanet adhuc post baptismum huius pravae concupiscentiae per totam vitam in omnibus illis vehementia, tam varii et importuni motus eius, ut, donec illa per mortem carnis et victoriam spiritus in Christo absumpta fuerit, nemo reperiatur tam sanctus in hac vita, qui sit omnino sine peccato et qui perfectam iustitiae mensuram suis operibus aequet”, *C.T.*, VOL. XII, p. 562, l. 23.

in some way the matter (*quasi materia*) of original sin whose "form and soul" consisted in the *reatus culpae*. After baptism concupiscence remains as an effect of original sin and a hindrance to doing that which is right—thus it is able to impede the attainment of perfect righteousness in this life. It is, therefore, not a sin in the strict sense of the word, but a weight that drags the regenerated downwards, towards sin. Concupiscence as the cause of "imperfect righteousness"—an Augustinian opinion—was destined to become the most important controversial point not only in the debate on original sin but also in that on justification.

Before the Council had formally agreed to the proposal made by Del Monte on 21 May, the congregations of the theologians met on 24 and 25 May. From this circumstance we may infer that these gatherings were not as yet regarded as an integral part of the Council's business procedure. The assembly's agreement to a discussion of the dogma of original sin was for the moment by no means assured. Certain symptoms pointed to the fact that the imperial group was bent on offering organised resistance. On the instructions of the imperial ambassador, Francisco de Toledo, the Bishop of La Cava requested the legates, on 22 May, to delay the debate on original sin for a few days until instructions from the Emperor should have arrived. The legates flatly rejected the suggestion, for even if the Emperor had taken up an attitude on this point, the Council would not suffer itself to be robbed of its freedom of action.<sup>1</sup> On 25 May Diego Mendoza returned to Trent, so that both imperial envoys were now present. Toledo had convened ten Spanish and Neapolitan bishops for the purpose, no doubt, of delaying with their help the opening of the discussions of dogma.

However, the legates knew what they were about. Lest they should create the impression that they were intimidated by Mendoza's arrival they put off the general congregation until 28 May, so as to make it possible for the envoy—who was laid low by another attack of fever—to be present at that gathering. His presence was not dangerous, for it was well known that the Emperor's ambassadors had no instructions from their sovereign to impede the dogmatic deliberations. Pacheco too,

<sup>1</sup> The legates' conference with the Bishop of La Cava, *C.T.*, VOL. X, p. 496. Toledo presented a letter from Granvella, dated 18 May, which held out a prospect of the instructions he had asked for. On 22 May he despatched a courier to Ratisbon with a fresh request for instructions for his conduct, *ibid.*, p. 503. But even the instructions of 31 May, VOL. XI, pp. 52 f., were in very general terms. He was told "de temporizar y entretener la cosa por los mejores medios que os parescera, . . . que no se proceda ny haga cosa de substancia en los puntos que nos haveis consultado, hasta . . . llegue el R.mo de Trento". The meeting of Mendoza by four archbishops and eleven bishops on 28 May, in *C.T.*, VOL. I, p. 550.

who, since Madruzzo's departure on 12 May for the Diet of Ratisbon, was the sole leader of the imperial group of bishops, was without any such instructions, in fact he was all the more unlikely to prove dangerous as there were signs that he was drawing closer to the policy of the legates and to a better understanding of the universal obligations of the Council. His elevation to the cardinalate on 16 December 1545, only a few days after the opening of the Council, as well as the consideration shown him by the legates, ended by bearing fruit. It is time that we busy ourselves more closely with this man, the real representative of the Emperor within the inner circles of the Council.

Through his parents on both sides Pedro Pacheco belonged to the higher nobility. He made his mark as a jurist in the service of the Spanish Crown. While holding the office of Dean of Compostella he had the modest diocese of Mondoñedo bestowed on him in 1532. He then successively occupied the sees of Ciudad Rodrigo, Pamplona, and from 1545 the wealthy see of Jaën. During the six years that he held the see of Pamplona (1539-45) he resided continually in his diocese and zealously discharged all the duties of a diocesan bishop. This short, sallow-complexioned prelate, now in his later fifties and moreover destitute of the gift of eloquence, the Emperor despatched to Trent as his trusty representative. Thither a reputation of an energetic and resourceful defender of the imperial interests had preceded him. The Pope had long hesitated to bestow the red hat on him for it was alleged that he had been concerned with the Sack of Rome and the drafting of the Pragmatic Sanction which in many ways infringed the Church's liberty. However, after Pacheco had presented himself at Trent on 24 July 1545, the shrewd Farnese relented and sent him the red biretta through a courier and on 13 January the president of the Council solemnly placed it on his head in the church of Santa Trinità. From that day the legates never failed to show him the deference that was in keeping with his new dignity or that his political influence seemed to demand. The first result of these shrewd tactics that the legates were able to register at the end of January was that, unlike Madruzzo, Pacheco offered no objection to the parallel discussion of dogma and reform. In the matter of translation of the Bible into the vernacular, and in pressing for an early treatment of the bishops' duty of residence, he maintained the Spanish ecclesiastical standpoint. Politics had very little to do with this attitude. Now, in return for the concession that the duty of residence would be put on the agenda of the Council at an early date, he offered but little opposition to the opening of the dogmatic

debate.<sup>1</sup> He was obviously of the opinion that the principle of a parallel discussion represented a working compromise since the treatment of dogma by the Council could not and should not be put off indefinitely.

However, the first impression made by Pacheco's speech at the general congregation of 28 May<sup>2</sup> was very different. He began by saying that he was only prepared to speak on the question of the penalties by means of which compliance with the duty of episcopal residence could be enforced. On the other hand, if they were going to discuss dogma, he proposed that they should first decide the controversy whether the Mother of God had been conceived without original sin. Was this proposal a delaying manoeuvre?

The question of the Immaculate Conception was not a controverted doctrine between Catholics and Protestants, but it was hotly disputed in the schools of theology. From the time when Duns Scotus, in opposition to the teaching of the great scholastics, had taken up the defence of the doctrine that the Blessed Virgin was preserved from original sin in the moment of her conception, Scotists and Thomists, Franciscans and Dominicans had been in sharp conflict with one another, a conflict of which the echoes were even heard in the pulpit. By means of two Constitutions the Franciscan Pope Sixtus IV had vainly striven to remove its worst exaggerations.<sup>3</sup> The doctrine of the Immaculate

<sup>1</sup> According to Gutiérrez, *Españoles*, pp. 976-83, Pedro Pacheco was the son of Don Alonso Téllez Girón, lord of La Puebla de Montalbán, in Old Castile, and of Doña Marina de Guevara. His father and grandfather held high rank in the Order of San Iago. For his activity at Pamplona, see J. Goñi Gaztambide, *Los Navarros en el concilio de Trento* (Pamplona 1947), pp. 150-60. The objections to his elevation to the cardinalate, in Massarelli, *C.T.*, VOL. I, pp. 225 f., 262; the imposition of the biretta, *ibid.*, pp. 364, 373 f.; the red hat was only brought to Trent by Farnese in August. Cervini's observation about Pacheco's attitude to the discussion of dogma, *C.T.*, VOL. X, p. 330. Pacheco was viceroy of Naples in 1553-5.

<sup>2</sup> General congregation of 28 May: Severoli's suspicion, *C.T.*, VOL. I, pp. 64 ff., also held by the Bishop of Motula, VOL. X, p. 533, that Pacheco had endeavoured to prevent a start being made with the dogmatic discussions, is refuted by the legates' remark "dal card. di Jaen in fuora", VOL. X, p. 502, l. 23; cf. Ehses, VOL. V, p. 166, n. 3. The protocol, VOL. V, pp. 166-70 is further clarified by the detailed report of the legates of 28 May, VOL. X, pp. 551 ff., and Cervini's private report of the 29th, *ibid.*, pp. 504 ff. All this goes to show that the principle of the parallel discussion was the legates' firm standpoint in their effort to ward off the attacks on the draft of the decree on original sin, and that they were prepared to make a start with the debate on residence. Characteristic is the sharp rebuke administered by Cervini to the Bishops of Sinigaglia and Accia for their objection to the opening of the dogmatic debate although they did not belong to the imperial group.

<sup>3</sup> To understand the controversy about the Immaculate Conception it is necessary to bear in mind that St Bernard of Clairvaux and all the four great scholastics of the thirteenth century had pronounced against this doctrine and that a swing over in its

Conception had been steadily gaining ground and the powerful Dominican Order alone continued to oppose it. If the Council were to submit this difficult theological question to a thorough examination, with a view to an authoritative decision, it could be foreseen that its time would be taken up for weeks, and even for months. In that case the debate on controverted doctrines would be put off for the time being. The promoter of the Council, Severoli, ascribed just such an intention to Pacheco, but there is little doubt that he was mistaken. The more obvious reason is the true one. As he had a fervent devotion to the Virgin Mary and was a convinced adherent of the Immaculate Conception, he was anxious to get the doctrine in which he believed defined by the Council. He had no intention of thwarting the legates' proposals.

The Bishop of Sinigaglia, supported by four other prelates, spoke indeed against the opening of the dogmatic discussion, on the ground that such a debate would interfere with the efforts for union then being made at the Diet of Ratisbon. Moreover, by reason of the small number of its members, the Council did not possess the desirable moral authority for such weighty decisions. However, this small, heterogeneous group was not able to stay the course of events. The Bishop of Fano had an easy task in saving the situation for the legates. Bertano, a Dominican, uttered a grave warning against throwing this apple of discord, namely the doctrine of the Immaculate Conception, to the assembly. No one would gain anything thereby, except the Protestants, because the decision of so subtle a theological question, on which the Apostolic See had

favour was only brought about by Scotus, cf. Ch. Balič, "J. Duns Scotus et historia Immaculatae Conceptionis", *Antonianum*, xxx (1955), pp. 349-488. In the fifteenth century it made steady progress; the Council of Basle spoke in its favour (H. Ameri, *Doctrina theologorum de Immaculata B.M.V. Conceptione tempore concilii Basiliensis* (Rome 1954); the University of Paris accepted it in 1459; that of Cologne in 1499. In the constitution *Cum praeexcelsa* of 28 February 1476, Sixtus IV pronounced in favour of the doctrine and cult of the Immaculate Conception, but in the constitution *Grave nimis* of 4 September 1483, he forbade the two opposite parties, viz. the Franciscans and the Dominicans, to call each other heretics, "cum nondum sit a Romana Ecclesia et Apostolica Sede decisum", Denzinger no. 734 f. For all that, the dispute, which had become a dispute between two Orders, went on. In Advent 1537 a Franciscan asserted in the cathedral of Vigevano that the Immaculate Conception was "chosa determinata dalla Santa Romana Chiesa". When by order of the viceroy, Cardinal Caracciolo, the bishop challenged him to produce proofs for his assertion the preacher appealed to the Council of Basle which, on 17 September 1449 had declared this doctrine to be "pious and in accordance with the practice of the Catholic Church and the Catholic faith", but this was at a time when that assembly was already schismatical. The bishop referred the two contending parties to the future Council. The letters of Caracciolo and those of the bishop, 18 and 20 December 1537, in F. Chabod, *Storia religiosa dello stato di Milano durante il dominio di Carlo V* (Bologna 1938), p. 189.

hitherto maintained great reserve, would divert the Council for a period of three months from its proper task. It would be a good thing to pass it over in silence. The result of this pressing warning of the Bishop of Fano was that Pacheco's suggestion had no further sequel. It was taken up by only three prelates, the Bishops of Syracuse, Belcastro and Astorga. The overwhelming majority took the same standpoint as the legates and from it the Council never departed; this was that their task at Trent was not to decide questions disputed in the schools but to define controverted doctrines.

The Bishop of Fano had also serious misgivings about the question of episcopal residence being opened so soon and so extensively. The removal of the impediments to residence, he pleaded, which were largely due to the secular authorities, demanded the presence of their envoys and a much more numerous attendance at the Council: neither of these prerequisites was as yet fulfilled. It was known that the Bishop of Fano had close relations with the legates. Was it after all his intention to get the question of residence indefinitely shelved?

The Spaniards suspected it. Pacheco announced that he would have to withdraw his agreement to the treatment of original sin if the parallel discussion of dogma and reform were to be called in question. As a matter of fact the legates' hopes of carrying through their dogmatic programme rested on this principle, for which they had had to put up a hard fight at one time. It was therefore in their own interest that it should not be tampered with; the only thing they were unwilling to do was to take up the debate on residence at once and to treat the consequent decree as a kind of appendix to the decree on preaching which, in that case, would not be disposed of according to plan. When the Bishop of Castellamare declared that the decree on preaching would be incomplete without a supplementary one on the duty of residence, Cervini replied: "You compel me to say what I wished to pass over in silence. The decree on preaching must be passed; as for the duty of residence, it will be debated in due time." In this way he quietly corrected an unconsidered remark which shortly before had escaped his colleague Del Monte. No one prevented the reformers of the Church, the latter had said, with unmistakable irony, from beginning with themselves and from doing penance in sack-cloth and ashes. In any case they would not be able to fulfil their duty of residence while the Council lasted. A decree on this subject would therefore come in the last place, before the dissolution of the assembly.

It had become evident that though many officials of the Curia were desirous of postponing the debate on residence as long as possible, such a plan was fraught with danger and, in fact, could not be adhered to if the principle of a parallel discussion were to be maintained. In their report to Rome, drawn up on the same day, the legates stated that they felt that the duty of residence must be the next item in the order of the day of the Council.

At the conclusion of the general congregation of 28 May, Del Monte could see that the majority of the assembly agreed with the legates' proposal to debate the doctrine of original sin. A list of papal and conciliar decisions on original sin, drawn up by their order, was read out and a copy was handed to all the Fathers of the Council on the same day.<sup>1</sup> In the introduction of this catalogue the triple set of questions which had been laid before the theologians, was reduced to a double one, namely the origin, transmission and guilt of original sin on the one hand; its remission and its effects on the other.

The first set of questions occupied the general congregation of 31 May.<sup>2</sup> It almost looked at first as if Pacheco's proposal to approve the existing decisions on the dogma relating to original sin without further discussion would be acted upon. The proposal met the wishes of those who thought it superfluous to debate at length a dogma of the faith which no one questioned. These men were prepared to leave it to the conciliar theologians, or to a commission created for the purpose, to formulate at once an appropriate decree. But it was these very theologians, whom the Bishop of La Cava had but recently accused of obscuring the fact of original sin by their cantankerous discussions, who would have none of

<sup>1</sup> The collection of authorities on the dogma of original sin includes: canon 2, wrongly ascribed to the Council of Milevum (A.D. 416), but which belongs to the Council of Carthage (A.D. 419); canons 1 and 2 of Orange (A.D. 529); canon 2 of the Twelfth Council of Toledo (A.D. 681); the Bull for the Jacobites, 6 February 1441; the letter of Innocent I to the Council of Carthage in 417, quoted as *epistola* 25 in Crabbe's *Concilia omnia*, which was confirmed by Celestine I in 431; letters 1 and 15 of Leo the Great, also after Crabbe. I may remark here once for all that during the first two periods of the Council the Fathers usually quote the Councils from Crabbe's *Concilia* which had been printed at Cologne in 1538. At times, of course, manuscripts were also quoted, especially for Greek Councils.

<sup>2</sup> General congregation of 31 May: Merkle has already commented on the brevity with which Severoli, *C.T.*, vol. 1, pp. 66 f., disposes of this congregation of nearly five hours' duration; the reason is that he was less interested in dogmatic questions than in disciplinary and political ones. The four original votes added to the protocol, vol. v, pp. 172-6, viz. those of the Bishops of Matera, La Cava, Bosa and Motula, restrict themselves to the first point. In their report of 2 June, vol. x, p. 509, the legates observe that the Fathers did not take advantage of the offer to break through the accustomed procedure in the voting by allowing theologically trained prelates to speak first.

this simplification of the problem. "How are we to explain", De' Nobili asked, "that every new-born child, though it has not sinned by a personal act, is yet subject to original sin and to the everlasting punishment that follows it, so much so in fact that one should not really speak of one original sin but of many original sins? If according to Rom. v, 12, we have all sinned in Adam so that we, his progeny, inherit a nature that is already corrupt, there arises the further question how the creation of such a nature can be reconciled with our notion of God, and the still more difficult question how the eternal damnation of children who die without baptism, as St Augustine maintains, can be theologically justified?" The proctor of the Cardinal of Augsburg expressly rejected this doctrine. "These children", he said, "are only deprived of the beatific vision of God." Another theologian, the Bishop of Bitonto, warned the Council against formulating a definition of original sin; if they did, they could not avoid coming down in favour of one of the several opinions of the schools.

Confirmation of earlier dogmatic definitions, without a previous discussion, as contemplated by Pacheco, presupposed that at this time and in this sphere no new errors had arisen which the Council was bound to deal with. As a matter of fact there were many such errors. Anyone who had studied Luther's theological anthropology, or who had acquainted himself with Zwingli's whittling down of original sin to a mere hereditary disease, could not be satisfied with the summary procedure advocated by Pacheco. For such a student a more careful examination of the Protestant teaching on original sin and concupiscence was not only desirable, it was indispensable.

Accordingly the Bishops of Fano and Calahorra, dissatisfied with the summary method of the legates, demanded that the erroneous statements of the adherents of Luther and Zwingli should be extracted from their writings and condemned word by word, though without mention of the names of their authors. The condemnation of definite propositions of theological writers was in accordance with the traditions both of the Councils and of the Popes. The Bishop of the Canary Islands suggested that if this well-tried method was to be dispensed with, they should at least clearly formulate the controverted points before they defined the Catholic teaching. The Bishop of Feltre drew attention to a third possibility. They might adopt one of the formulas defining original sin which had been drawn up at the Diet of Augsburg in 1530 and at that of Ratisbon in 1541, all of which had been accepted by the theologians of both parties. All three proposals rested on the notion that it was



impossible merely to reiterate former conciliar definitions inasmuch as they did not take into account the existing state of the proclamation of the faith.

It would seem that the legates fully appreciated the criticism of their way of acting by the Bishops of Fano and Calahorra for on 9 June they made up for what they had neglected by submitting a list of errors, and on the next occasion, in the debate on justification, they placed the list of errors drawn up on 30 June at the beginning of the discussion.

The second set of questions, namely the remission of original sin and the effects of that sin, was only taken up on 4 June after the feast of the Ascension. Two general congregations were required for the debate because the heat of summer, which was beginning to make itself felt, made it advisable to limit the duration of the discussions to a period of three hours at most.<sup>1</sup> Here the Council touched on a basic divergence from Protestantism. Luther's ethical evaluation of concupiscence which remains after baptism, had already been described by his first opponent, the Dominican from Cologne, Jacob Hochstraten, as a "‘stone of stumbling’ against which Luther was broken”.<sup>2</sup> The Bull *Exsurge* had condemned the following two propositions: "He who denies that sin remains in the baptised child overthrows both Paul and Christ" (art. 2); "the ‘tinder’ of sin prevents the soul from entering heaven when it leaves the body, even if there is no actual sin" (art. 3). Luther had maintained both propositions in his defence of the con-

<sup>1</sup> General congregations of 4 and 5 June: the protocol is completed by six original votes, viz. those of the Bishops of Sassari, Fiesole, Vaison, Bosa, Motula and Verona, *C.T.*, VOL. V, pp. 182-96. The i's are once more dotted and the t's crossed by Severoli, VOL. I, pp. 67 ff., and by the legates' report of 4 June, VOL. X, p. 512, in which they express the suspicion that when the Bishop of Sinigaglia proposed the nominal condemnation of Protestants already dead—in the first instance, therefore, Luther's condemnation—and the citation of the living to appear before the Council, that prelate, who was no favourite of theirs, merely sought to delay the proceedings.

<sup>2</sup> For the article on original sin in controversial theology, articles 2 and 3 of the Bull *Exsurge*, Denzinger no. 742 f. must be compared. The *Assertio omnium articulorum* was printed in December 1520 and is in VOL. VII, pp. 94-151, of the Weimar edition of Luther's works; cf. also W. Braun, *Die Bedeutung der Konkupiszenz in Luthers Leben und Lehre* (Berlin 1908). The first Catholic replies by Hochstraten, Cochlaeus, Eck and Schatzgeyer are discussed by H. Jedin in *Des Johannes Cochlaeus Streitschrift "De libero arbitrio hominis 1525"* (Breslau 1927), pp. 17-47, 49 ff.; the later ones (e.g. by Castro and Catharinus) by Pénagos, *La doctrina del pecado original*, pp. 138-62; a collection of quotations in H. Laemmer, *Die vortridentinisch-katholische Theologie* (Berlin 1858), pp. 104-20. For Luther's inaccurate quotations from St Augustine's *De nuptiis et concupiscentia* I, 25 and 26 (Migne, *P.L.* 44, 430), and *Contra Julianum Pelag.* VI, 19, (*ibid.*, 44, 858), see Denifle, *Luther und Luthertum*, I, pp. 482 f., 490. The alteration of the texts quoted had already been noted by Hochstraten and was criticised at the Council by the Bishop of Syracuse, *C.T.*, VOL. V, p. 193.

demned articles (the *Assertio* of 1520) and had even further emphasised them, whereas Melanchthon in his *Apologia* of the second article of the *Confessio Augustana*, had come appreciably nearer to the Thomistic teaching on original sin when he taught that the guilt (*reatus*) of original sin is removed by baptism while concupiscence, the *materia* of sin, remains. Luther, however, appealing to the seventh chapter of the Epistle to the Romans and to St Augustine, continued to describe it as sin in the true and proper sense of the word, on the ground that even its involuntary movements make it impossible to fulfil the divine command "Thou shalt not covet", and by reason of its presence the man justified by faith is at one and the same time "a just man and a sinner" inasmuch as by faith he shares in the redemption wrought by Jesus Christ, and in the power of that faith fights the evil in his heart, while he is also a sinner precisely because this evil thing, "invincible concupiscence", remains alive in him. The Council was now brought up against the very basis of the Lutheran teaching on justification, and one of the most important as well as the most difficult points of controversy, because Luther's view seemingly found support in St Paul and St Augustine. Catholic controversial theology had endeavoured, partly by analysing the meaning of the word "sin" as used in the Bible, partly by a profound study of St Augustine's writings against the Pelagians and the mediating teaching of St Thomas, to clear existing difficulties out of the way. The Dominican Ambrosius Catharinus and the Dutchman Albert Pighius who followed in his footsteps, had imagined that the difficulty would be overcome if original sin were understood as consisting in the imputation of a numerically unique primitive or original sin to all the children of Adam. The Council declared this solution to be untenable and accordingly rejected it. On the other hand those theologians who were influenced by Augustinianism sharply opposed the undoubted tendency of a number of nominalists to whittle down the nature of concupiscence which is opposed to the divine law, to a purely physical phenomenon; that is, they opposed a teaching which Luther had made first and foremost his business to attack.

In the general congregation of 4 June, in which thirty-four of the Fathers of the Council spoke, this tension within the Catholic body was not felt so strongly as in that of the next day. There was general agreement that the guilt of original sin is completely removed by baptism and that concupiscence, which survives baptism, cannot be described as a sin in the strict sense of the word. Only a few of the

Fathers—at least as far as can be gathered from the records—seem to have been fully aware of the Biblical and patristic difficulties; they were the Scotsman Wauchope, Archbishop of Armagh, the Bishop of Accia, in Corsica, Benedetto de' Nobili, a native of Lucca, the Bishop of Lanciano and the Bishops of Motula and Syracuse of whose votes we possess the original text, and above all the Bishop of Fano. Besides Luther, the latter also quoted Martin Bucer of Strasbourg as teaching that sin is not removed but merely covered up. St Paul, St Augustine and St Thomas Aquinas had indeed described concupiscence as “sin”, but they understood the word in a wider sense, as something that inclines us to evil and makes it difficult for us to follow the good. The unruly character of concupiscence was even more notably lessened by the Bishop of Bitonto who, on 5 June, as the first of the remaining fourteen Fathers opened the debate with a vote which took him an hour to deliver but which was attentively listened to by all present. He accounted for St Paul’s language by explaining that before baptism concupiscence was a sin whereas after baptism it is only an “occasion” of sin. His fellow-Franciscan, the Bishop of the Canary Islands, went even further. Concupiscence, he declared, is not a sin because what belongs to human nature cannot be a sin.

This attempt to render concupiscence innocuous by reducing it to the status of a morally indifferent natural power of the soul was countered with great decisiveness by the general of the Augustinians, Seripando, of whose views we get no more than the outline in Massarelli’s protocol but which he set down in detail in a tractate which must have been composed in the course of the debate for it already takes note of the Bishop of Bitonto’s teaching.<sup>1</sup> For Seripando, as for his fellow-Augustinian, Gregory of Rimini, concupiscence is the essence of original sin. It is the *actus* of original sin, the “act” which, together with the guilt (*reatus culpae*), causes the unbaptised to inherit guilt. After baptism concupiscence may no longer be called “sin” in the strict sense of the word, but it can be called sin *aliqua ratione* inasmuch as

<sup>1</sup> Seripando’s tractate on original sin, *C.T.*, VOL. XII, pp. 549-53; the vote comprises only nine lines, VOL. V, pp. 194 f.; the copy, made after the event, was published by Ehses, *R.Q.*, XXVII (1913), pp. 29 f. For its elucidation see Koch, “Das Trienter Konzilsdekret ‘De peccato originali’”, *T.Q.*, xcvi (1914), pp. 117-22; H. Jedin, *Seripando*, VOL. I, pp. 354-8 (Eng. edn., pp. 314-19). For the teaching on original sin in the Augustinian school of the late Middle Ages, see A. Zumkeller, “Hugolin von Orvieto über Urstand und Erbsünde”, *Augustiniana*, III (1953), pp. 35-62, 165-93; IV (1954), pp. 25-46. D. Trapp, “Augustinian Theology of the fourteenth century”, *Augustiniana*, published by F. Roth and N. Teewen (New York 1956), pp. 146-274, is essential for the Augustinian school of the fourteenth century.

it is the consequence and the punishment of the first sin, the root and cause of many grievous sins and—this is the decisive point—by its mere presence hinders the perfect fulfilment of the law of God. So long as man is not freed from it, that is, even from its instinctive movements, he is unable to fulfil the commandment “Thou shalt not covet”. This commandment does not merely forbid voluntary desires, as the Bishop of Bitonto had asserted, but likewise, according to the teaching of St Augustine, the involuntary motions of concupiscence. Only when death sets him free from these things can perfect righteousness be realised in man. Hence in the baptised concupiscence is both a moral weakness (*infirmitas*) and a moral task. It is the latter inasmuch as it obliges us to exert all our energy in the struggle against evil, and brings home to the justified the necessity of grace and preserves him from self-righteousness.

Did Seripando then range himself by the side of Luther when he held such opinions? His answer was an emphatic: No! Concupiscence in the baptised is indeed displeasing to God but it does not render him liable to eternal damnation since its guilt has been remitted. Baptised children who die before they are morally responsible are not condemned because of it, though the fact remains that it is opposed to God. Seripando accordingly proposes that preachers should not be forbidden to describe concupiscence in the baptised as “sin”—when they do so they are at one with St Paul and St Augustine—so long as they explain in what sense they use this term, while on the other hand preachers who say that it is not a sin must add why it is not a sin, namely because “its guilt has been remitted so that it is not imputed unto everlasting punishment”. Seripando’s vote differs from the opinion of the majority for yet another reason. In his view the first remedy against original sin is faith—the sacrament of faith, that is, baptism being given second place. Baptism, he declared, produces its liberating effect in conjunction with the faith of the catechumen or, as in the case of infants the faith of the godparents. On this point also Seripando seemed to approximate to Luther. The Bishop of Syracuse, who had Gaspar of Syracuse, an Augustinian Hermit, for his theological adviser, and the spokesman of the Benedictine Abbots, were alone in expressing similar opinions. They too assigned to faith the first and decisive role in the process of justification. Their votes foreshadowed yet another fundamental problem of the doctrine of justification.

Seripando’s vote could hardly fail to render his orthodoxy suspect but for the moment suspicion did not dare to come out into the

open against the Pope's man and the trusted friend of the legate Cervini. On the other hand the Bishop of Mallorca, Gianbattista Campeggio, the son of Lorenzo Campeggio, accused the general of the Servites Bonuccio who had already shocked those who heard his sermon at the opening of the fourth Session, of favouring heresy because in his vote of 31 May he had, according to all appearances, warned the Fathers that if they condemned the opinion that concupiscence in the baptised can be called "sin", they would also condemn, together with the Protestants, such men as St Paul and St Augustine, St Thomas and Gregory of Rimini. Bonuccio defended himself against this accusation in his vote of 5 June. His defence was that he had merely wished to draw the attention of the Council to the need of choosing words with the utmost care so that no condemnation of the above-named could be read into them.<sup>1</sup>

As soon as the discussion of the Protestant doctrine of salvation opened, the Council saw itself faced by yet another question, one fraught with weighty consequences. Could they be content with condemning errors without naming their authors? Were they not bound in justice to summon before the Council those living authors whose opinions they rejected, in order to give them a hearing, or if they refused to appear—as was to be expected—to condemn them by name, but only after all the formalities of the law had been fulfilled? The invitations to the Council had been issued to the Protestant Estates of the Empire, but not to their divines. Was the Council not bound to abide by the rules which govern a process for heresy if it included the authors of heresy in its sentence?

This demand had been raised by the Bishop of Sinigaglia in the general congregation of 4 June. The Bishops of Torcelli, Bosa and Lanciano joined him on the same day and on the following day the Bishop of Calahorra did so likewise. Yet on 28 May this same Bishop of Sinigaglia had deprecated the opening of the dogmatic discussions. The legates accordingly suspected, without openly saying so, that his demand was inspired by a desire to delay the discussion of dogmatic questions, for it was easy to see that a mere attempt to cite say, Melanchthon or Bucer, would mean a delay of several months for the contemplated decree. Such a suspicion was natural enough but no positive proof is forthcoming. It is more likely that considerations of Canon Law rather than political motives prompted the demand,

<sup>1</sup> The content of Bonuccio's vote of 31 May is only known from his answer of 5 June, *C.T.*, VOL. V, p. 195; the Bishop of Mallorca's attack on him, VOL. I, p. 68, l. 14.

though it is evident enough that if at a future date the Council was to treat with the Protestant Estates with a view to reunion, it was an indispensable prerequisite that their persons should be treated with consideration. Neither Pacheco nor the two envoys betrayed in any way what they thought of the Bishop of Sinigaglia's proposal. So for the time being it remained in suspense.

By his vote on 5 June on the place of faith in the process of justification and the ethical evaluation of concupiscence, Seripando got to the very core of the dogmatic discussions. Ten days later his vote on the privileges of the exempt Orders which we have already mentioned led to a revision of the decree on preaching. From now onward his place was in the front rank of the conciliar platform. Modest and reserved, skilful with pen and tongue, Seripando, now in his early fifties, was sprung from the intellectually wide-awake if somewhat thin social stratum constituted by the higher officials of the Kingdom of Naples, at that time subject to Spanish domination.<sup>1</sup> In 1507—hence only two years after Luther—he had joined the Order of the Hermits of St Augustine and like Luther, a strict congregation, that of San Giovanni a Carbonara. In the capacity of secretary to the general, that keen reformer Egidio of Viterbo, he had shared the latter's reforming activities. For a time he acted as regent of the Order's house of studies at Bologna. While Gabriele della Volta was general, Seripando spent a period of fifteen years in his native city of Naples, where he was chiefly occupied with philosophical and humanistic studies, more particularly the study of Plato, but he also had contacts with evangelistic circles. By the express wish of the Pope who had named him Vicar General in 1538, he was elected general in the following year. The Pope's expectations were not disappointed. By means of tireless exertions and a visitation which took him through almost the whole of Italy and even as far as France and Spain, he reorganised his grievously troubled Order; above all else he mercilessly rid it of any followers of Luther. At the Council his comprehensive theological and humanistic formation, his zeal for reform and his sound judgment won for him in a short time the confidence, nay, the friendship of Cervini and Pole. He became one of the most valuable among the silent collaborators of the legatine body. To this position of confidence he owed the protection he

<sup>1</sup> The appreciation of Seripando's personality in the text is based on my biography: *Girolamo Seripando*, 2 Vols. (Würzburg 1937); Eng. edn., London 1947. The numerous studies of his teaching on justification which have appeared since that time are here mentioned in CH. VII.

was to enjoy amid the storms that awaited him in the coming months and of which the first omens appeared during the debate on original sin.

While the first general debate on original sin was still in progress, the legates instructed certain "learned persons" to prepare the draft of a decree, with the intention, no doubt, to circumvent in this way the setting up of a commission for that purpose. The imperfect functioning of similar bodies had greatly increased the difficulty experienced in the formulation of the decrees of the previous Session. On 6 June Massarelli showed the draft to three prelates, namely to the learned coadjutor of Verona, Luigi Lippomani, and to the Bishops of Fano and Bertinoro, both of them Dominicans, as well as to two Franciscan theologians, the Spaniard Alfonso de Castro and the Sicilian Francesco de' Patti. On the following day Massarelli handed out the text. The draft of the decree (Form I) consisted of four canons:<sup>1</sup>

- (1) Adam's sin entailed for him the loss of the holiness and righteousness with which he had been endowed, God's anger, the death of the body and slavery to Satan.
- (2) These punishments did not touch the person of Adam only, but in accordance with a general law (*secundum communem legem*) they were transmitted to the whole human race.
- (3) The "disease of original sin" is transmitted through procreation, not by imitation, and is proper to each human person. In view of the merits of Christ it is remitted through faith and baptism.
- (4) Because every child, even though born of baptised parents, is infected by original sin, it must be baptised in order that it may obtain eternal life by being bathed in the laver of baptism. Baptism

<sup>1</sup> For origin of Form I of the decree on original sin, 8 June, *C.T.*, VOL. v, pp. 196 f., the following references to sources must be noted. On 4 June the legates report to Rome "formassi intratanto il decreto", VOL. x, p. 513, l. 20. On the same day Massarelli calls on the Bishop of Fano "pro decreto huius secundae partis", VOL. I, p. 552, l. 20. On 9 June the legates report ". . . havendo fatta far la forma d'un decreto . . . da persone dotte et mostratolo anco privatamente a molti altri theologi del concilio et fuori, nella qual diligentia consumammo tre giorni, finalmente lunedì alli 7 ne facemmo copia a tutti i prelati", VOL. x, p. 520, l. 5. Massarelli accordingly notes on 6 June that he called upon the Bishops of Verona, Fano, Bertinoro and two Franciscan theologians and "apud plures alios praelatos", VOL. I, p. 552, l. 25. On 7 June, hence after the distribution of the text, he still consults the Bishop of Aquino, a humanist, on a quotation from St Augustine. That same week of June Cervini corrected the draft of the decree on original sin, VOL. XII, pp. 566-9, which comprised a lengthy introduction and six canons. Form II of the decree of 14 June has not been printed *in extenso*; its text is known from the list of alterations, *C.T.*, VOL. v, pp. 218 f.; it only differed from the definitive text by a different formulation of the clause about the Blessed Virgin Mary, VOL. I, p. 76, l. 17. An anonymous tract in defence of St Anselm's definition of original sin is in VOL. XII, pp. 569-73.

takes away not only the guilt of original sin but likewise whatever is sin in the true and proper sense of the word (*totum id auferri quod veram et propriam rationem peccati habet*), so that nothing remains in the baptised that is hateful in God's sight. However, there remain in the baptised "concupiscence", or a "tinder", "and a weakness or sickness of nature" (*manere in baptizatis concupiscentiam vel fomitem, naturae infirmitatem ac morbum*). These "relics of sin", St Paul describes sometimes by the term "sin", but the Catholic Church has at no time regarded them as sin in the proper sense of the word, but only in so far as they stem from sin and incline to sin (*quia ex peccato sunt et ad peccatum inclinant*). For this view of concupiscence the decree appeals to St Augustine and declares the Thomistic formula according to which the *formal* element of sin is removed by baptism while the *material* element remains, to be not unacceptable (*non improbat*).

Apart from this very cautious concluding sentence the draft of the decree carefully avoided the scholastic terminology. It committed itself to none of the well-known definitions of original sin—neither that of St Anselm, which was to the effect that original sin consisted in the lack of original justice, nor to the Augustinian theory as propounded by Peter Lombard. Its aim was to formulate the belief of the Church in Biblical and patristic terms and to steer clear of all scholastic differences of opinion. The Council even went a step further. In the course of the debate the above final clause, which declared the Thomistic definition of original sin to be tenable, encountered general disapproval and was accordingly dropped. In theology, the Bishop of Fiesole declared, scholasticism must be directed by the teaching *magisterium*, not the other way round.

That the results of scholastic speculation could not be simply passed over was proved by the criticism of the draft in the general congregation of 8 June.<sup>1</sup> In so far as the actual content was concerned, as distinct from the linguistic formulation, criticism fell chiefly on three points:

<sup>1</sup> General congregation of 8 June: the protocol, C.T., vol. v, pp. 199-203, supplemented by the original votes of the Bishops of Aix, Ascoli, Fiesole, Caorli, and by De' Nobili, shows that the legates' claim, C.T., vol. x, p. 520, that "fu laudato universalmente il decreto come ben fatta", was optimistic. Severoli, vol. I, pp. 69 f., wrongly imagines that criticism of the decree was exclusively concerned with its wording; he mentions the controversy about the Immaculate Conception and concludes: "hec controversia remaneat prout hactenus in ecclesia fuit et est." It should be noted that unlike the Bishop of Bosa and the general of the Servites, Pacheco did not demand a decision of the controversy by the Council but only an additional clause which would imply the Council's toleration of the Franciscan teaching.



Firstly, the description of Adam's original righteousness as *sanctitas*, seemed to be a positive decision of the controversy about the supernatural character of his original state. Pacheco, who was undoubtedly the spokesman of his theological adviser, Alfonso de Castro, and a number of the Fathers, proposed the substitution of *rectitudo* or *innocentia* for *sanctitas*.

Secondly, the teaching of the decree on the ethical evaluation of concupiscence in the baptised was felt to be self-contradictory. On the one hand it stated that original sin was completely blotted out by baptism so that nothing remained in the baptised that could offend the eye of God while on the other hand it referred to relics of original sin. If you speak of relics, the Bishop of Fiesole objected, something does remain which is somehow a sin. The clause must be dropped, or replaced by another, a milder one—such as *propensio*, *prinitas*, *incitamentum*. Seripando and Bonuccio sought to bring about uniformity by suggesting that the clause about the total removal of whatever is sin should be omitted altogether. The struggle around these clauses was in reality a discussion of the strictly Augustinian teaching on concupiscence.

Thirdly, Pacheco, and the majority that sided with him, saw a difficulty in the statement of canon 2, that original sin was transmitted to all Adam's children "in accordance with a universal law". This statement, they claimed, failed to do justice to the doctrine of the preservation of the Mother of God from the stain of original sin (*Immaculata Conceptio*), a doctrine to which the Church pays homage in her liturgy and which, in Pacheco's words, "is approved by all the universities"; hence the expression must be replaced by one which at least does not reject this doctrine. The opponents of the doctrine—by no means all of them Dominicans—insisted on the retention of the expression to which exception was taken, or if some addition was to be made to it it should be at least strictly non-committal (*ne aliqua pars offendatur*). In their opinion the formula proposed by the Bishop of Cagliari—*pie creditur*—was not neutral. At the end of the congregation Del Monte concluded that it was the opinion of the Council that "in the decree the exceptional position of the Blessed Virgin should be hinted at in a few words".

To provide such an additional clause and to consider or to reject the many other suggested improvements—most of them merely on points of style—would have been the business of a decree-commission, if such a body had been in existence. On a suggestion of the Bishop of Calahorra,

and lest they should have to bear the sole responsibility for the alterations in the draft, the legates decided to call in the theologians once more and to submit the draft to them. Moreover, with a view to convincing the Council of the careful manner in which they had proceeded up to this time, they submitted to the general congregation of 9 June a list of thirteen erroneous views of original sin which had been put forward by the Manichaeans, the Pelagians, by Luther and the Anabaptists. It is only by this list that we see how the draft of the decree affected two contemporary theologians in the Catholic camp, namely Erasmus who in his paraphrase of the epistle to the Romans had expressed the opinion that the fifth chapter of that epistle did not treat of original sin at all, and even more surprisingly, the Dutchman Albert Pighius, a man highly esteemed for his vigorous defence of the papal primacy. In his *Manual of Controversies* (1542), Pighius had taught that original sin was not a sin proper to every child of Adam but that it was due to the imputation of the one original, or first sin of Adam to all his descendants.<sup>1</sup> The words of the clause in canon 3 *unicuique proprium* were aimed at Pighius.

In order to give the conciliar theologians time to study the draft of the decree the legates arranged for two extraordinary general congregations on 9 and 10 June on a different theme, one that had been frequently mooted but had never been discussed, namely the bishops' duty of residence.<sup>2</sup> The only concern of these congregations was the question of procedure, namely whether the obligation of residence should be discussed at the same time as preaching, in accordance with a frequently expressed desire. On the other hand the reformers felt that the time had come for them to open the floodgates of their eloquence on what, in

<sup>1</sup> The list of errors in *C.T.*, vol. v, pp. 212 f.; the decisive passage in Pighius's *Controversiae* (Cologne 1542) fol. D 5<sup>v</sup>: "Relinquitur ergo unicum illud esse peccatum ipsius, nempe originis nostrae, hoc est Adae, quod sonat vocabulum, et non suum uniuscuiusque proprium"; fol. E 2<sup>r</sup>: "Cuius unius reatu constricti omnes nascimur." H. Jedin, *Studien über die Schriftstellertätigkeit Albert Pighes* (Münster 1931), p. 113.

<sup>2</sup> The general congregations of 9 and 10 June provide the first debate on the obligation of residence to which we shall have to return when we come to the antecedents of the decree of *Sessio VI*; here we only touch upon it in so far as it concerns the general course of the Council. Severoli, *C.T.*, vol. 1, pp. 70-5 is much more informative on this subject—which interested him—than the protocol, vol. v, pp. 209-16. The view advocated in my presentation is borne out, in my opinion, by the legates' reports of 9 and 12 June, vol. x, pp. 520, 523, and by Cervini's letter to Farnese, 10 June, *ibid.*, p. 522. The result of the vote, 28: 14, given in the protocol agrees with the statement of the legates: "li due terzi vinsero"; Severoli has 28: 18; Saraceni gives the minority as 14-15, *ibid.*, p. 526, l. 33. From the two reports of the strictly curial Saraceni, dated 13 and 17 June, we gather how greatly shocked these circles were when people from their own ranks (*beneficiati dalla Sede Apostolica*) and theologians of such repute as the Bishops of Fano and Bitonto, defended the *ius divinum* of residence and the inclusion of the cardinals in the decree and even demanded sharper penalties.

their opinion, was the very heart of Church reform. The president was not blameless for this widening of the scope of the debate, for Del Monte urged the assembly to express its opinion as to whether the neglect of the duty of residence should be mulcted with fresh penalties or whether the existing ones were adequate; furthermore, it was for them to decide who should be entrusted with the execution of these penalties. In this way the question of procedure was set on one side and the problem itself came under discussion. As was to be expected, the Fathers of the Council did not confine themselves to answering the president's questions; on the contrary, they discussed in detail the far wider problem whether the "impediments to residence" should be embodied in a future decree or whether a statement by the Council that the duty of residence rested on a divine ordinance would not be the most effective means to enforce it. There was likewise a plenteous variety of opinions on the subject of sanctions: "At what moment should a non-residing bishop forfeit his revenues? At what stage should he be punished with deposition? Whose duty was it to see to the execution of the penalties? Was it the Pope, the metropolitan or the provincial council?"

The blame administered by Del Monte to those who had gone beyond the boundaries of the theme submitted to them was not unjustified, but he himself was no less deserving of it. Cervini brought the debate back to the point from which it had started, namely the problem of procedure. He also put this alternative before the assembly: The Council must either refrain from discussing the "impediments", or from linking the decree on residence with that on preaching, which was already in their hands. As was to be expected, a great majority of the Fathers (twenty-eight against fourteen), voted for the second alternative. So there was nothing now to prevent the passing of the decree on preaching in the next Session.

Nor was there any reason to fear that similar complications would arise in connection with the decree on original sin; but for that very reason much more work had to be done in order to assure precision. The twenty-nine theologians who gave their opinion on the draft<sup>1</sup> in the afternoon of 10 June, and in the morning of the following day, in presence

<sup>1</sup> There is no protocol of the congregations of theologians of 10 and 11 June; all we have is a compilation of various opinions without mention of their authors, *C.T.*, VOL. V, pp. 217 f. Massarelli observes that the same theologians were called in as on 24 May. In addition to the enlargements mentioned in the text an anathema against those who opposed the baptism of infants had also been proposed. The basis of the debate was of course Form I of the decree.

of the whole Council, recommended not only a more precise theological formulation of several passages, but also suggested the inclusion of a number of additional details which had run the risk, from the beginning, of being overlooked, such as the formal condemnation of Erasmus, or the addition that unbaptised children would only be deprived of the vision of God but would suffer no other penalty. As for the main subject of controversy, St Augustine's teaching on concupiscence, all those who spoke on the first day did so without exception against Seripando's view. On the second day some of his brethren in the Order gave him their support, in the sense that they demanded the removal or the expressions *totum tollitur*, and *nihil odit Deus*. Note was taken on the kinship of the formula *per fidem et baptismi sacramentum* with article 2 of the *Confessio Augustana* and a recommendation made that it should be rendered unequivocally Catholic by the addition of the epithet *vivam* to *fidem* (by a lively faith).

In the decree thus reformed (Form II), which came up for a second reading in the general congregation of 14 June notice had been taken of the many alterations suggested by both groups, namely by the Fathers of the Council and by the theologians.<sup>1</sup> Nothing was said about the remission of original sin by faith joined to the sacrament of baptism. Dropped also was the conception of concupiscence defended by Seripando and the Augustinian theologians, namely the expressions *infirmetas ac morbus, reliquiae peccati* and the quotation from St Augustine in the conclusion of canon 4. A newly added canon 5 condemned, with a threat of anathema, the doctrine that in baptism the guilt of original sin and whatever is sin in the true and proper sense of the word, was not taken away but was merely covered up (*radi*), or not imputed. The additional clause on the Immaculate Conception ran as follows: "The Sacred Synod declares that it is not its intention in the passage treating of original sin, to include the Blessed and Immaculate Virgin Mary, the Mother of Jesus Christ, nor does it intend at present to go in any way beyond the decree of Sixtus IV of happy memory."

<sup>1</sup> General congregation of 14 June: On the basis of the discussion, Form II of the decree on original sin, *see above*, p. 150, *n.* 1. Severoli gets hold of what was essential when he says: "De eo solo verba facta fuerunt, quod R.mus card. Polus et deinde Giennensis admonuerat"; the protocol, *C.T.*, VOL. V, pp. 219-23 passes over the discussion between Cervini and Pacheco after the first counting of the votes by mentioning a *dissensio*—yet this exchange was decisive for the meaning of the clause concerning the Blessed Virgin Mary. The legates' report, VOL. X, p. 527, accurately states the final result. As for the duration of the congregation (till 17 h.) I follow Severoli, not Massarelli (till 15 h.). Seripando's tract, which links up with Pole's discourse, *Pro dictis a Polo*, in *C.T.*, VOL. XII, pp. 549-53.

In the course of the debate only two passages of the decree came in for serious criticism. Pole—otherwise the embodiment of reserve—made a final attempt to save Seripando's defeated view. In a lengthy speech, in which he stressed once more the significance of the decree that lay before the assembly, he criticised the doctrine embodied in canon 5, namely that God found nothing worthy of hatred in those regenerated in baptism. He objected to the formula on the ground that there might be those who would draw the conclusion that the baptised could no longer fall into sin. It was not difficult for the Bishop of Fano to show how forced was such an interpretation. Seripando himself did not defend it. De' Nobili and the Bishop of Bertinoro alone supported Pole while the Bishops of Fano, Lanciano, Bitonto and Belcastro defended the expression in the decree to which exception had been taken. It was a gesture of deference to Pole and Seripando rather than a serious promise when Del Monte spoke of taking their observations into account. In view of the decision of the majority any alteration was out of the question, as was the formulation which Seripando proposed in a tractate written immediately after the general congregation for the purpose of defending Pole's proposal. It was to the effect that "no malice *(iniquitas)* remains in those regenerated in baptism, but only a great weakness *(infirmetas)*, with which, because it is displeasing to God, we have to contend all through life until God himself heals all our infirmities and delivers us from corruption *(corruptio)*."

Much more violent was the criticism of the additional clause concerning the exceptional position of the Blessed Virgin Mary. Pacheco strove with might and main to strip the formula of its non-committal character and to give it a turn favouring the doctrine of the Immaculate Conception—a doctrine which, in point of fact, commanded the adherence of the majority of the Council. The text put before them, he urged, was not in accordance with the true feeling of the Council and should accordingly be altered. He proposed that the doctrine of the Immaculate Conception should at least be described as an object of pious belief (*ut pie creditur*). The best thing would be for the Council to discuss and decide the whole question. In this way the entire controversy would be got out of the way once for all. There could be no doubt about the decision that would be arrived at.

At first it looked as if Pacheco's view would prevail. All the Archbishops, with the exception of Corfu, sided with him. It was only after the Bishop of Feltre had urged that the whole of the addition about the Immaculate Conception should be dropped and the original

formulation taken up once more (namely that in virtue of a general law original sin is transmitted to all the children of Adam) that those who were neutral as well as the decided opponents (the Bishops of Motula, Fano, Bertinoro) took courage to come out into the open. They either approved the text submitted to them or asked for a declaration that would impose silence on the contending parties. The Bishop of Bertinoro handed to Massarelli an impressive list of authorities unfavourable to the Immaculate Conception which included three canonised Franciscans, namely, St Antony of Padua, St Bonaventure and St Bernardine of Siena. When the votes were counted it was seen that twenty-four (nearly one half) agreed with Pacheco in rejecting the formula submitted to them but that the majority, which included a number of adherents to the doctrine, did not wish the Council to decide the controversy. In spite of this set-back Pacheco refused to acknowledge defeat. He argued that by the establishment of the feast of the Immaculate Conception on 8 December the Roman Church had pronounced in favour of the doctrine and that the whole Church with the sole exception of the Dominicans, had followed her example. The Council must accordingly choose a formula which did not remain neutral but which, on the contrary, favoured this doctrine. On his part Cervini, who personally opposed the doctrine, insisted on a formula which would not conflict too sharply with either opinion while it maintained the situation created by the Constitutions of Sixtus IV: "I shall not suffer the Council to have wrung from it (*extorqueatur*) a decision which it is incapable of issuing at this time", he declared.

The discussion, which had been getting sharper as time went on, was terminated when the Bishop of Astorga to some extent met the views of his fellow-countryman by suggesting that the words *nihil ad praesens declarare intendit* should be cancelled, a motion for which he secured the approval of the majority, the Dominicans included. In reality the new formula, thus foreshortened, did not depart from the line of the previous one. The Council declared that it did not include the Mother of God in its decree on original sin. For the rest the Constitutions of Sixtus IV, which had been read to the assembly, were to remain in force and the penalties for mutual accusations of heresy were renewed. The new formula—the one embodied in the decree—was also rejected by Pacheco and nine other prelates. Pacheco came away from the meeting which had lasted six hours, a depressed and disappointed man, but even now he refused to admit final defeat.

When on the eve of the Session the decree on original sin was read once more and voted upon,<sup>1</sup> it was seen that the number of Pacheco's adherents had been slightly increased; the addition to the concluding formula urged by him, *prout magis pie a majori parte Ecclesiae creditur*, secured seventeen votes. However, the majority stuck to the formula so painfully elaborated on 14 June, and this all the more tenaciously as Cervini repeated the declaration made by him on that occasion with no less pungency. In vain Del Monte strove to persuade the Spanish cardinal to give way and to restore a unity so greatly to be desired in this sphere. He himself, he pleaded, though an adherent of the doctrine of the Immaculate Conception, approved the formula submitted to them because materially it did not prejudice anything while every additional word would require a regular debate for which there was no time at this juncture. "Even if the Emperor were to order it", Pacheco replied, "I would not go back on my decision; I shall only do so when I am confronted with a conciliar decision!"

When Pacheco spoke thus did he merely mean to say that in the sphere of Catholic teaching even a command of the Emperor would not be able to influence his decision? Or was it a hint that the Emperor had spoken and actually meddled with this dogmatic question? What is certain is that on the same day a courier from the imperial court, then residing at Ratisbon, arrived at Trent, though the hour of his arrival is unknown. He was the bearer not only of a message from the Emperor warning the Council against a definition of the Immaculate Conception, but likewise of instructions for the ambassadors which jeopardised, at the last moment, the Session convoked for the next day.<sup>2</sup> The ambas-

<sup>1</sup> For the general congregation of 16 June, see above CH. III, p. 121, n. 1. In view of the importance of the matter the protocol, *C.T.*, VOL. V, p. 236, gives exact numbers for the voting on the decree on original sin: for Pacheco's proposal 17; *simpliciter*, that is, for the proposed formula 34, 8 *cum modificationibus*, that is, with some alterations, but not in Pacheco's sense; 2 *remiserunt legatis*, hence were to be counted as affirmative votes; 2 *cum Polo*, that is, they were for Pole's proposal and were to be regarded as abstentions on the question of the Immaculate Conception. Cervini's repeated declaration against a decision of the question of the Immaculate Conception is only in Severoli, *C.T.*, VOL. I, p. 80, l. 27. The two other themes of the general congregation, viz. the date of the next Session and the declaration of contumacy will be treated further on in connection with the Session.

<sup>2</sup> An extract of the Emperor's instructions for the conciliar ambassadors is given by Druffel, *Monumenta Tridentina*, pp. 558 f.; the complete text is in *C.T.*, VOL. XI, pp. 56 f.; Nuncio Verallo's report to the legates dated 13 June, VOL. X, p. 525; the contemporary report to Farnese in *N.B.I.*, VOL. IX, p. 76. The legates' report of 16 June, *C.T.*, VOL. X, p. 527. Whether the Emperor's concern on account of a suspension or a translation of the Council was assuaged by the report of the Roman ambassador Juan de Vega of 5 June, VOL. XI, pp. 53 f., is uncertain. If it was entrusted to a courier it could easily have arrived at Ratisbon by 12 June.

sadors were informed that the Emperor did not think such a definition was advisable because it would give rise to dispute and was calculated to diminish the authority of the Council. This warning was in direct opposition to the keenness with which Pacheco pressed for a definition of the Immaculate Conception. We may suspect, though it cannot be proved, that when the cardinal uttered the above-quoted words in the congregation, he was already acquainted with the contents of the Emperor's letter. On the other hand, there is nothing to show that the Emperor's warning influenced opinion in the Council in any way.

Of the utmost consequence for the Council was the Emperor's formal charge to his envoys to endeavour to bring about a cessation, for the time being, of the publication of dogmatic decrees and to urge the assembly to get on with the reform of the Church, "so as to shut the mouth of the Protestants" (*por atapar la boca a los Protestantes*). For such a commission Toledo had been waiting for weeks, all in vain. No sooner was it in his hands than he hastened to the legates—alone, for Mendoza had had to take to his bed—to demand the postponement of the Session. A month earlier such a commission from the Emperor in the hands of the conciliar envoy might possibly have stopped the debate on original sin. If Pacheco had taken it up with his characteristic energy he would have been followed not only by the bishops of the imperial territories but by many others, and the legates' plan would have encountered grievous difficulties. Now it was too late.

At the time of Toledo's visit the legates had not yet taken cognisance of a letter addressed to them by Nuncio Verallo, dated 13 June. In this communication the nuncio informed them of what was afoot. What the Emperor wanted was a postponement of the article on original sin because he was afraid that a conciliar decision on a controversial point of such importance might interfere with the negotiations for an alliance with certain Protestant princes who were not members of the League of Schmalkalden, namely Duke Maurice of Saxony and Margrave Albrecht of Brandenburg-Kulmbach; but above all by such a decision the Emperor's description of the forthcoming campaign, namely that it was not a war of religion but the chastisement of rebellious subjects, would be stripped of all credibility. At a later date, when military victory had been achieved, this dogmatic section of the conciliar programme could be disposed of without risk of any dangerous consequences.

Though they were as yet unacquainted with the contents of the letter and its arguments, it was impossible for the legates to listen to Toledo's suggestion. The decree on original sin was the fruit of



considerable exertion on their part. They could not countermand or postpone the Session for a period of ten to fifteen days as Toledo proposed without putting both the Council's authority and their own in jeopardy. The envoy himself realised this, but he was plagued by a fear of another kind, namely the possibility that, faced by the alternative of crossing the plans of the Emperor—an Emperor who was the Pope's ally—or of losing face before the whole world, the legates might fall back on the idea of suspending the Council, or of transferring it to some other locality, on the plea that they wished to await the issue of the campaign.

The Emperor had reckoned with such a possibility. In no circumstance, he let the legates know, must they have recourse to either of these expedients which, as he was well aware, accorded only too well with the secret wishes both of the legates and the Pope.

At this juncture the Emperor's and his envoy's anxieties were without foundation. The legates were not prepared for decisions of such far-reaching consequences. They declined politely but firmly to put off the session. Toledo shrugged his shoulders and took his departure. He probably saw that in existing circumstances they could scarcely act otherwise. The favourable opportunity for an effective intervention of the Emperor had been irrevocably missed. The refusal to which the envoy had to resign himself was at any rate better than the dreaded suspension, not to speak of a translation, and it did not prevent him from assisting in his official capacity at the Session of the following day.

This Session, the fifth, was celebrated on Thursday, 17 June 1546, with the liturgical ritual which was by now firmly established.<sup>1</sup> Since the

<sup>1</sup> The protocol of *Sessio V*, of 17 June 1546, *C.T.*, VOL. v, pp. 238-56, comprises as usual a list of the prelates in attendance and the text of the sermon of Marcus Laureus. The conciliar secretary, Severoli (whose name the envious Massarelli passes over in silence), acting on this occasion as notary jointly with Claudius della Casa, the second notary, registered the votes. At the conclusion the votes were read out once more and recognised as accurate. Severoli's statement, *C.T.*, VOL. I, p. 81, l. 7, to the effect that some fourteen or fifteen prelates voted in favour of Pacheco's proposal, is an exaggeration even if he counted all the qualified votes, those that went further than Pacheco's demand, as for instance the vote of the Bishop of Clermont, and even those which, on the contrary, insisted on an even stricter neutrality, as did the Bishops of Cagliari and Castellamare. The account of the Session in the State Archives of Mantua, no. 3356, gives such accurate details of the votes that it must be based on information supplied by one who was there. More colourful than the legates' report, *C.T.*, VOL. x, pp. 529 f., is that of Saraceni, *ibid.*, p. 527, who vents his indignation against the wickedness of the Bishop of Sinigaglia, though he frankly admits that it was necessary to raise the episcopal dignity which had been so long depressed. Mignanelli's satisfaction, *ibid.*, p. 529, that at last something had been achieved by the Council, is mingled with fear lest before long there should be another delay in the work of the assembly. In Rome the decrees of this Session (unlike those of the previous ones) met with universal approval, *ibid.*, p. 544, l. 9, with the exception of the Dominicans,

last Session attendance at the Council had undergone a slight increase. In addition to four cardinals—Madruzzo was still absent—nine archbishops, forty-nine bishops, two abbots and three generals of Orders assisted at the Session. Of the twelve Spanish and the three Flemish prelates whose arrival had been recently announced, only one had actually arrived, namely, Bishop Robert of Cambrai, a member of the powerful house of Croy, who had reached Trent on 8 June. The celebrant of the Mass of the Holy Ghost was Alessandro Piccolomini, a kinsman of the two Popes to whom his diocese, Pienza, owed its name. In a sermon more remarkable for ingenuity than depth of thought, the Dominican Marcus Laureus expatiated on the theme of the Church as a part of God's three-storeyed cosmos, a paradise of the virtues and the gifts of the Holy Ghost. Even as the just of the Old Law triumphed over their adversaries, so does the Church overcome her enemies in this present apocalyptic period of tribulation in which, after being driven from Asia and Africa, she finds herself "confined in a small corner of Europe" and even there is still threatened by rebels. The sermon concluded with a fivefold appeal to the members of the Council. "Gird yourselves", the preacher pleaded, "for the fulfilment of your duties as shepherds, by personal reform, by healing the inner infirmities of the Church, by bringing back those who have strayed from the fold." The day was within the octave of Pentecost, so Laureus ended his discourse by invoking the Holy Spirit upon the work of the Council in the words of the Sequence of the Mass of Whitsunday.

When the vote on the decree on original sin came to be taken only two supporters of the rejected doctrine on concupiscence, the Bishops of La Cava and Pesaro, had the courage to express a divergent opinion:

*ibid.*, p. 900, l. 2.—List of those present: the number of archbishops (9) and bishops (49) is confirmed by the protocol and by Severoli—a circumstance explained by the joint counting of the votes. The full number of those entitled to a vote was 66 (thus also *C.T.*, VOL. V, p. 261); the number given by Saraceni, 70, is therefore somewhat exaggerated, VOL. X, p. 528, l. 3. Premature announcement of the arrival of 12 Spanish prelates and of 3 from the Low Countries in VOL. X, p. 510, l. 10. The difference of opinion on the question of the Immaculate Conception makes itself felt in the transmission of the text of the decrees. Ehses, *C.T.*, VOL. V, p. 240, n. 4, has already drawn attention to the fact that the Paris printing of the decrees of 1546, apparently under the influence of the Sorbonne, suppresses in the decree on original sin the clause which deals with the Blessed Virgin Mary. S. Kuttner, *Decreta septem priorum sessionum concilii Tridentini sub Paulo III Pont. Max.* (Washington 1945), p. xxiv, justly observes that the omission is not one of the many inaccuracies of this edition but is due to a doctrinal opinion. A century later the Sorbonnist Pirot, in his tract "De l'autorité du Concile de Trente", *Revue d'Hist. de l'Eglise de France*, III (1912), pp. 84 f., destined for Leibniz, describes the whole passage as a later addition.

Seripando himself gave his *placet*. The additional clause on the Immaculate Conception was rejected as unsatisfactory by Pacheco and a dozen of his adherents, some of whom felt that far from calming the theological dispute, it would on the contrary cause it to flare up anew. But the core of the decree, that is, the five canons on the fact of original sin, its effects and its remission, received almost unanimous approval.

For an understanding of the decree it is important to realise that "its aim is not to decide between theological opinions, but to defend truth against error" (Gaudel). It dispenses completely with the use of scholastic terminology. Canons 1-3 are substantially an opportune renewal of the condemnation of Pelagianism. Neither the list of errors drawn up on 9 June, nor the discussion furnishes any clue as to whether the Council had in mind and meant to attack Zwingli's opinion which whittles down original sin to a mere hereditary disease. Pighius's view, that original sin is numerically one (but not that of Ambrosius Catharinus which resembles it) is clearly condemned in canon 3. The doctrine contained in canon 4, of the necessity of infant baptism, excluded the teaching of the Anabaptists, the basis of which had already in fact been removed by canon 3 (when it speaks of the application of the merits of Christ to children as well as to adults through the sacrament of baptism, not "through faith and baptism"). Only in canon 5, and linking up with the Bull *Exsurge Domine*, does the Council pronounce on Luther's teaching of the sinfulness of concupiscence after baptism. Based on Rom. VIII, 1, the canon rejects the opinion that concupiscence in the baptised must be regarded as a sin in the true and proper meaning of the word, and holds that in view of Christ's merits, it is not imputed to them. If in Rom. VII, 14, St Paul designates it by the name of sin, he does so solely because it stems from, and leads to, sin, that is, if we yield to its motions. The teaching of canon 5 on concupiscence laid the foundation of the subsequent decree on justification.

The purpose of the first part of the additional clause about the Blessed Virgin Mary is to prevent an interpretation of the decree on original sin unfavourable to the doctrine of the Immaculate Conception to which the majority of the members of the Council actually subscribed. However, the Council had no intention of issuing a dogmatic decision relating to this controverted question: it was to be left in the state of development which it had reached through the Constitutions of Sixtus IV. The repeated declarations of the papal legate Cervini and the rejection of Pacheco's proposals by a majority of the Council, leave that assembly's opinion in no doubt. This is the only explanation of the

prophecy of the Archbishop of Sassari, who said that the addition "would only breathe new life into ancient tragedies" and would no more restore peace than had the Constitutions of the Franciscan Pope.

The reform decree on the teaching of theology and the organisation of preaching met with stronger opposition on account of its decisions about the preaching faculties of the regulars. Seven prelates, namely the Bishops of Cagliari, Fiesole, Belcastro, Aquino, Belluno, Calahorra and Melos, thought inadequate the last-hour solution, which gave the exempt Orders a free hand in their own churches, inasmuch as it did not unequivocally give to the ordinaries the right to exclude undesirable preachers belonging to religious Orders. In spite of the fact that the decree interfered in more than one place with existing papal rights (the bestowal of reserved prebends on lecturers in theology, the privileges and exemptions of preachers and commissaries for indulgences) the Pope, in a brief dated 7 June 1546, had already expressly declared his agreement with any future decisions of the Council. However, two versions of the brief had been forwarded to the legates; in the one the right to make propositions was allotted to the Council, in the other that office was assigned to the legates. If they made use of the first version, they ran the risk of a conflict with the "episcopalists"; so they used the second and had it read out by Massarelli at the same time as the decree. The Bishop of Fiesole's view was that this version also restricted the authority of the Council. He accordingly lodged a protest against it just as he had previously protested against the omission of the formula *universalem ecclesiam repraesentans* in the decree on original sin.

For the date of the next Session Farnese had suggested 25 July, the feast of Saint James, the patron Saint of Spain.<sup>1</sup> The Council agreed to the date on 16 July, although some of the prelates (the Bishops of Siena, Capaccio, Castellamare) regarded the time-limit as too short in view of the heavy work that would have to be got through before that date and would have preferred mid-August; others (the Bishops of Feltre, San Marco, Fano, Pesaro) would have been better pleased if no fixed time-limit had been laid down. In the end it was agreed that the Session should be held on 29 July, the Thursday following St James's day. The legates had been aware from the first that the time-limit was much too short for the preparation, with all the care they required, of

<sup>1</sup> Farnese's directive for the fixing of a date for the Session, *C.T.*, VOL. x, p. 518, l. 12; the discussion of 16 June, VOL. v, p. 237; the legates' better knowledge of the shortness of the time-limit, VOL. x, p. 530, l. 9. No proof is needed for the fact that the widely held opinion at Ratisbon that the date was too distant, *ibid.*, p. 543, l. 14, rested on complete ignorance of the procedure in use at Trent.

two such basic decrees as those on justification and the obligation of residence. However, they acted in conformity with the directives from Rome which met with the assent of the majority of the members of the Council.

The attempt to take up at this junction the question of a declaration of contumacy against the absentees, which had been postponed in the course of the fourth Session, led to no definite and incontestable result. From the standpoint of Canon Law the bishops, when summoned to the Council, had been called upon to take part in a juridical process from which they could not excuse themselves. If in spite of the convocation they stayed away without an excuse, they could be declared guilty of contumacy (*contumaces*) and mulcted accordingly. A declaration of contumacy against the absentees by the Council would be an assertion of the point of view of Canon Law and might lead to an increase in the still modest number of those actually present at that assembly. However, only a bare third of those present at the general congregation of 16 July had pronounced in favour of such an unqualified declaration; a somewhat larger number (twenty-three in all), led by Pacheco, insisted that the German bishops, then assisting at the Diet of Ratisbon, should be regarded as legitimately excused, hence excepted from such a declaration. Only a few voices, but powerful ones, had spoken against the declaration or advocated its postponement (for instance, the Bishops of Aix, Fano, Pesaro). A false note, which caused dissatisfaction in Rome, had been sounded by the Bishop of Sinigaglia when he formally demanded that cardinals not residing at the Curia should be included in the declaration. However, when during the Session the promotor of the Council, Severoli, moved the declaration of contumacy a legal objection was raised by the Archbishop of Aix, as the representative of the French episcopate, which would be most nearly concerned. He asked the promotor what measures had been taken against the absentees up to this time. If no proceedings had been taken the time-limit prescribed for their appearance, that is, the opening of the Council, must now be deemed to have lapsed and in that case there was no *contumacia* in the legal sense. An exception for the German bishops was advocated by nearly one half of the prelates present. Others (the Bishops of Fano and Verona) wished the declaration to be extended so as to include bishops residing in Rome, while some others desired it to include those who had taken their departure without leave of the Council. Thus was opened a whole series of complicated questions of a legal and political character which it seemed more advisable to evade than to pursue to the point of the

incalculable and uncertain result of a vote. The legates' reports to Rome show that they regarded the declaration as accepted, but they took good care not to follow up the decision with any action, or to take legal proceedings against the absentees. The fact was that attendance at the Council was not only a legal matter, it was also a political one. The interventions by the imperial envoys on 2 May and 16 June had been an unpleasant reminder for the legates that the Council stood in the very centre of European politics. While they were preparing to proceed along the appointed road and to define the dogma of justification, outside the Council hall, in the Empire, a decisive hour had struck: the war against the League of Schmalkalden had begun.

## The Opening of the Debate on Justification

LUTHER had cast the problem of justification in a new formula. In his view justification was the result of faith, an experience of which God was the author, a consciousness of the forgiveness of sin by a merciful God, in view of Christ's merits, and without any necessary link with a sacrament. The explanation was new but the problem itself was old, for since the day when St Augustine, in his controversy with the Pelagians, had worked out the gratuitousness of man's salvation, the theme of justification had never ceased to occupy the western theologians. For the early scholastics the justifying element consisted in faith and charity. These concepts were still understood by them in a purely Biblical sense, but gradually, by means of this concept, they developed the notion of the supernatural, while the theologians of the golden age of scholasticism, starting from the teaching of Philip the Chancellor, formulated the concept of grace as a supernatural habit of the soul. St Thomas Aquinas described justifying grace as "something within the soul" (*aliquid in anima*), as a reality which produces a wholly supernatural participation of the divine nature. Of course, there is no question here of a *substantia*, but neither is there question of a mere *potentia*, but of a quality rooted in the very essence of the soul from whence it exercises its influence upon the various faculties. Essentially the infusion of grace excludes sin, as light excludes darkness. Duns Scotus identifies justifying grace with charity so that between them there is no more than a formal difference; consequently grace does not reside in the whole of the spiritual being but in that faculty which Scotus regards as the noblest, the will, in which grace unfolds into supernatural charity. Grace is the antithesis of sin, though this is not due to an intrinsic necessity arising from its nature. It does away with man's liability to punishment, which depends on God's will, hence it does not justify as a physical or ontological quality but on account of God's acceptance (*acceptatio*). God might blot out sin in the soul without the bestowal of grace; hence the grace by which we are justified is made up of two elements, logically distinct the one from the other, namely in the

remission of sin, which consists in the acquittal from the penalty incurred, and in the infusion of grace which manifests itself in the supernatural gift of charity. The doctrine of the gratuitous acceptance of the sinner by God, as further developed by the nominalists, ended by undermining the results achieved by the great scholastics. Scotus and his school had, in addition, further elaborated the significance of faith in the process of justification. The Dominican, Robert Holcot, a nominalist, when treating of the doctrine of justification in the article on faith in his commentary on the *Sentences*, did not do so within the framework of sacramental doctrine. The scholastic theology of grace, many-sided as it was, provided a number of openings for a discussion of Luther's theology of justification.

The theologians of the sixteenth century were not unarmed when they took up the problem Luther had set them, although there were no ready-made answers at their command; above all they were without the guidance of clear directives by the supreme teaching authority in the Church when they sought to bring out the contrast between the Catholic and the Protestant attitude of mind in regard to matters of faith. In the controversy about original sin they had been in a position to appeal to such directives.

In its condemnation of a number of errors concerning Baptism and Confirmation (5-14) the Bull *Exsurge*—the only utterance about Luther, up to this time, by the supreme teaching authority in the Church—still viewed the problem of justification essentially in connection with the sacraments. Good works and free-will were indeed defended (31 f., 35 f.), but the process of justification was not considered, this not least because at the time when the Bull was drawn up the main theological pillars on which the new structure rested were not yet as clearly visible as they became after the appearance of the great Reformation writings of the years 1520-5, such as *The Babylonish Captivity of the Church* and *The Freedom of the Christian Man*, the *Sermon on Good Works* and the *Book of the Servile Will*. The great commentary on the Epistle to the Galatians (1534) had provided a certain synthesis. If Melancthon's interpretation, in his *Loci communes*, of the Lutheran theory of justification had somewhat sharpened the opposition to the Catholic conception by its forensic doctrine of imputation, it was clearly the aim of article 4 of the *Confessio Augustana* to tone it down. The *Apologia*, with a great display of erudition, presented it once more in harsher outlines. Its clearest formulation was due to Luther himself. In the Schmalkaldic Articles, he wrote: "Let heaven and earth crumble



before any concessions in the article on justification by faith alone should be made at the Council."

Time was needed before Catholic controversial theology was in a position to bypass particular propositions and catchwords, so as to penetrate to the very core of the Lutheran doctrine of justification, that is, the new conception of the nature of the process of justification. Among the propositions condemned by the theological Faculty of the Sorbonne on 15 April 1521, there are those that assert the uselessness of good works, the certainty of one's being in a state of grace and that deny free-will, but none on the doctrine of salvation by faith alone (*sola fide*) or on that of imputation (of Christ's justice).<sup>1</sup> It is only in the works of Dietenberger, Fabri and others that the *sola fide* formula moves, for the first time, into the centre of the controversy, while in Eck's *Enchiridion* the article on *Faith and Works* is inserted between the refutation of the principle of "the Bible alone" and the defence of the sacraments. Following the controversy between Erasmus and Luther on the question of free-will, this article also secured a firm position in Catholic polemics. However, all the efforts of controversial theologians did not prevent the catchword of "justification by faith" from making its way throughout Europe during the fifteen-thirties. This explains why Gropper, in his *Enchiridion* (1537) did not have recourse to polemics but expounded a positive, non-scholastic doctrine of justification, one chiefly inspired by St Augustine. Gropper linked up with this doctrine when, in the course of the negotiations for reunion, he drew up jointly with Bucer, the *Book of Ratisbon* in which he answered the questions about the nature of justification, the imputation of Christ's justice, or of an immanent justice, by the formula of a twofold justice—which was a compromise—but which, after a few modifications,

<sup>1</sup> There is as yet no history of the study of the problem of justification between 1520 and 1545. Laemmer, *Die vortridentinisch-katholische Theologie*, pp. 137-99, adduces quotations from Eck, Cochlaeus, John Fisher, Fabri, Dietenberger, Wimpina, Hochstraten and others in confirmation of seventeen theses. For the first years some information is to be found in H. Jedin, *Des Johannes Cochlaeus Streitschrift "De libero arbitrio hominis"*, pp. 17-47; O. Müller, *Die Rechtfertigungslehre nominalistischer Reformationsgegner* (Breslau 1940) for Usingen and Schatzgeyer; for an appreciation see V. Heynck, "Zur Rechtfertigungslehre des Kontroverstheologen K. Schatzgeyer O.F.M.", *Franziskanische Studien*, xxviii (1941), pp. 129-51. Too little notice has been taken of the influence of the religious "colloquies", both of the first, held at Ratisbon in 1541, and above all of that of the second in 1546, on which Trent obtained information through Cochlaeus and others. In particular Trent must have been acquainted with the nine theses of Malvenda (*Disputata Ratisbonae in altero colloquio*, pp. 28 f.; see the literature given below in CH. VI). C. Gutiérrez, "El problema de la justificación en los primeros coloquios alemanos"; *Miscelanea Comillas*, iv (1945), pp. 9-31, is inadequate.

met with Contarini's approval at Ratisbon. It was thought at the time that in the formula "We are justified by a lively faith, that is, faith united to charity", the key to an agreement had been found, but it met with the approval of neither Luther nor Rome (cf. VOL. I, pp. 381 ff.).

With the exception of the far-seeing, clear-thinking Cardinal Cajetan (*De fide et operibus* 1532), and of Contarini and his circle, professional theologians outside Germany had not paid adequate attention to the contest around Luther's teaching on justification. In a small work entitled *De perfecta iustificatione a fide et operibus* written in 1541 and dedicated to Contarini, the Dominican Ambrosius Catharinus drew a distinction between a first justification by faith, that is by gratuitous grace, and a second justification through man's co-operation with grace. Three years later, in his *Trattato della giustificatione*, written in Italian in 1544, he drew up a list of ten Catholic truths concerning justification, in which the principle of causality was applied to justification. However, these works of the pugnacious Dominican were no more a systematic examination of the Lutheran doctrine of justification than was the small book on justification, grace and merit published at Venice in May 1546 by the conciliar theologian Andreas de Vega, for which it may be safely claimed that it lay on the desks of many members of the Council at the time of the opening of the debate on justification. Vega confined himself to the three great questions of faith and justification, the meritoriousness of human acts and the necessity of grace.<sup>1</sup> His work was not an exhaustive and really satisfactory discussion of the problem raised by Luther, in fact no such work was in existence. If the Council was to be in a position to issue an authentic, dogmatic statement of the content of the Catholic faith, and to define the boundaries that separate it from the Lutheran theory of salvation, it was bound to undertake intensive preliminary work in the

<sup>1</sup> For Andreas de Vega's *Opusculum de iustificatione, gratia et meritis* (Venice 1546), cf. J. Sagués, "Un libro pretridentino de Andrés de Vega sobre la justificación", *Estudios eclesiásticos*, xx (1946), pp. 175-209. Further data about the author by V. Heynck, *Franziskanische Studien*, xxxiv (1952), pp. 293-313. For Ambrosius Catharinus's writings on justification cf. J. Schweizer, *Ambrosius Catharinus Politus* (Münster 1910), pp. 96 ff., 135 ff.; Lauchert, *Die ital. Gegner Luthers*, pp. 79 ff., 96. One of the Ratisbon collocutors, J. Hoffmeister, in his *Loci communes* (1547, cf. N. Paulus, *J. Hoffmeister* (Freiburg 1891), p. 388), the preface of which is dated 26 July 1546, and is therefore contemporary with the Tridentine discussions of justification, has a comprehensive list (in art. 5) of texts from the Fathers, especially St Augustine, against the *sola fide* doctrine and in support of the gratuitousness of justification and the necessity of good works, while the certitude of grace and the freedom of the will are separately treated. For Cajetan's *Opusculum de fide et operibus* see Lauchert, pp. 169 ff.

theological sphere. In order to define the task to some extent, we distinguish seven groups of questions, though we are fully aware that such a deployment of the one problem exposes us to the risk of being accused of superficiality and over-simplification.

(1) The absolute gratuitousness of justification was and always remained the basic concern of Luther's religion as it had been the content of his decisive religious experience. To this end he fought scholastic theology, which he accused of having become tainted with Pelagianism. In order to counter this notion, Catholic theologians were bound to own that, according to their teaching, the sinner is incapable of crossing, by his own strength, the chasm created by sin between himself and God. If that is so, is there a possibility of his disposing himself for justification? Is it possible for the sinner, by co-operating with the initial help of divine grace, to draw nigh to salvation and perhaps, though not in the proper sense of the word, to merit his justification (*meritum de congruo*)?

(2) Does justification consist essentially and exclusively in the remission of sin, or does it include man's intrinsic sanctification by a created grace granted to him, whether we call it *gratia gratum faciens*, *gratia inhaerens* or *charitas*? If the answer is in the affirmative, what is the relation between the remission of sin and sanctification? What is the relation of Christ's justice, which effects the remission of sin, to the personal justice of him who is restored to grace? This last problem, which had already been broached at Ratisbon, only moved into the foreground in the second phase of the debate on justification.

(3) Can the sinner participate in Christ's merits by faith alone, or are good works likewise required? We have seen already that the slogan "justification by faith alone" had gradually come to occupy a central position in Catholic polemics. It was a comparatively easy task to adduce texts from Scripture to prove the necessity of good works; but the question was whether these works were no more than tokens, as Luther maintained, of justification already granted, or conditions for its reception. The concept of faith was itself a further problem: did it consist in accepting as true the dogmas of the faith, or was it a trustful surrender to God justifying man in Christ?

(4) Is the human will passive in the process of justification, or does it, on the contrary, actively concur with grace? If so, when? that is, at which stages of the process of justification? In Luther's view the will is enslaved by sin and incapable of any kind of active co-operation. On the answer to this question depends the answer to the next.

(5) In what sense can the good works of the justified be described as "merit"? Merit presupposes man's co-operation. But are not eternal life and everlasting glory free gifts of God? In spite of his good works, does not the just man remain a useless servant? Or is eternal life at one and the same time both merit and grace?

(6) What is the connection between justification and the sacraments of Baptism and Penance? Since infant Baptism is not in question, the conversion of an adult to the faith and the return of a believing and baptised sinner to a state of justice must be accounted for by the sacrament of Penance. The attempt to connect the doctrine of justification with the above-mentioned sacraments led to the development of the Council's teaching on the *status iustificationis*.

(7) How does justification, as an experience, start and progress? Luther had started from penance; a man is saved from despair called forth in him by the law of God which he is unable to fulfil, by the gratuitous gift of trusting faith (*fides fiducialis*), which is faith in his own personal justification. Is this the only and necessary process of the mind for the attainment of justification, or is it merely one of a type? Can it be maintained from the standpoint of Catholic dogma? At what point in the sequence of acts does faith come into this theory? Is it possible for the justified to obtain an assured certainty that he enjoys God's grace? Is it at least possible—and without a special revelation—to obtain certainty on this point by reason of the efficacy of the sacraments? This last question, which was a subject of discussion among Catholic theologians also, as well as the one referred to in the second point, was to form the subject of a special discussion in the course of the debate on justification.

The leaders of the Council were fully conscious of the magnitude of the task which we have here briefly outlined. In their report to Rome on 21 June, they wrote: "The significance of this Council in the theological sphere lies chiefly in the article on justification, in fact this is the most important item the Council has to deal with." They also requested that the opinion of Roman specialists should be sought on the schema of questions they themselves had submitted to the conciliar theologians, and which they also forwarded to Rome. Their request was complied with. Four weeks later, on 17 July, the Camerlengo, Cardinal Santa Fiora, despatched five memorials to Trent, three of them drawn up by Dominicans, one of whom was the Master of the Sacred Palace, the fourth by the Apostolic Sacristan, the Augustinian Barba, and the fifth by the Prior of San Marcello, a Servite. If these

documents had been preserved we would be in a position to picture to ourselves the state of opinion in Rome. However, they are lost and we are unable to ascertain whether or not they affected the course of the negotiations and the decree, the first draft of which was practically completed at the time of their reception at Trent (22 July).

In the general congregation of 21 June,<sup>1</sup> Cervini, on whose shoulders the full weight of the labour and responsibility now rested more than ever, stressed the far greater difficulty of the problem of justification now confronting them than even that of the article on original sin. This was due to the fact that in the past only a very small number of theologians had treated of this matter, and then only in passing (*pauci admodum et paucissima*); hence the Council had to lean chiefly on the theologians of the previous twenty years, that is, the controversial theologians. It almost looks as if Pole, then about to leave the Council, was anxious to correct this opinion of his colleagues when he besought the Fathers wholly in the spirit, and almost in the words, of the theologian Johann Gropper of Cologne in the preface to his *Enchiridion*, that on the question of justification "on which our salvation wholly depends", they

<sup>1</sup> General congregation of 21 June 1546: the legates' report, *C.T.*, VOL. X, pp. 531 ff., supplements both Severoli, VOL. I, pp. 82 ff. and the protocol, VOL. V, pp. 257-60, inasmuch as the objections of three or four prelates to the opening of the debate on justification are there put beyond question, whereas both in Severoli's account and in the protocol they are passed over in silence. What was new was the proposal of the Bishop of Vaison who suggested that the conciliar theologians should hold their meetings under the presidency of the generals of Orders, VOL. V, p. 259, l. 4. The suggestion was not acted upon, for in this way the opposition between the theological schools would have been still further accentuated. It is not quite clear what the Bishop of Sassari meant by a decree *per quaestiones separatas*, *ibid.*, p. 258, l. 5, or the Bishops of Alba and Lanciano by a procedure *per conclusiones*, *ibid.*, p. 258, l. 52, and p. 259, l. 33. The Bishop of Feltre's proposal to base the debate on a draft of a decree, *ibid.*, p. 258, l. 26, was very properly rejected by the Bishops of Motula and Bitonto, *ibid.*, p. 259, ll. 10 and 46.—The names of the prelates who had left, *C.T.*, VOL. I, p. 555, l. 31. The Bishop of Torcelli, who had left on 18 June, without the legates' permission, subsequently obtained it from Farnese, VOL. X, p. 531, n. 2.—We are very inadequately informed about the consultation of Roman theologians so long prayed for by the legates, *C.T.*, VOL. X, pp. 536, l. 22; 542, l. 23; 546, l. 19; 551, l. 17; 564, l. 23. On 30 June, Farnese assures them that their questions have been submitted to these divines, *ibid.*, p. 544, l. 21. On 14 July, Ardinghello already speaks of a complete "ritratto", *ibid.*, p. 560. The consultation was in writing. After the memorials had been submitted to the deputation of cardinals, five of them were despatched to Trent, where they were received on 22 July, *ibid.*, p. 566. No trace has been found of them up to the present. Since Santa Fiora mentions some other memorials besides these five there is good reason to connect the tract of the procurator-general of the Hermits of St Augustine, Christopher of Padua, VOL. XII, pp. 603-9, with the Roman consultation, likewise the very interesting tract by J. W. Calderinus, the Prior of Sta Maria in Via, *ibid.*, pp. 643-6; such a connection is not even excluded for the anonymous tract, *ibid.*, pp. 610-12, although in addition to the question of 22 June it already takes note of the proposal of the 30th on the various *status*.

should also read with an unbiased mind the books of the Lutherans and refrain from taking up an attitude which amounted to saying: "Luther has said it, hence it is false". Some truth is often contained in error, in fact its success is precisely due to the amount of truth that lies hid within it. On the other hand, in their eagerness to refute their opponents in every respect, Catholics had at times overshot the mark, as may be learnt from the case of Pighius in the debate on original sin described above. The words were an unmistakable warning against an unqualified reliance on controversial theology.

Pacheco viewed the new theme from the angle of procedure. In the course of the debate on original sin he had urged the confirmation, without debate, of the earlier conciliar decisions. This time he was in favour of entrusting the study of the problem of justification, together with the preparatory work on the decree, to a mixed committee of Fathers of the Council well versed in theology, and other scholars, the result of whose labours would then be submitted to the plenary assembly. He undoubtedly thought that by this means the Council would be taking a more active part in the drafting of the decree than had been the case before the last Session. "We need not only the presence of the members of the Council," he added significantly, "we want even more their co-operation. What justification is there for the conduct of those members who have withdrawn from the Council and who only came back in time for the Session, as if by giving their *placet* to a finished decree they could satisfy the dictates of their conscience? A firm rule must be laid down that a fortnight's leave of absence may be granted by the legates, but any extension of that time-limit requires the consent of the Council."

This criticism was aimed at the legates. The truth was that since the last Session five prelates had departed from Trent, namely the Bishop of Torcelli, the coadjutor of Verona, the Bishops of Melos, Piacenza and San Marco—all of them without leave, though the first two had acted with the knowledge of the legates. The latter had no difficulty in justifying themselves, though for the future they proposed the confirmation of the commission which had been set up on 13 January for a period of four months. Its duty would be to study the letters in which absentee bishops excused themselves and to report on the requests for leave of absence from those who were actually at the Council. The Council agreed to the proposal, but the commission, which consisted of the Bishops of Aix, Feltre and Astorga, were unable to exercise an effective control of personnel as was to be made clear

within the space of a few weeks. The suggested mode of procedure was approved without any notable opposition. By now it was evident that a definition by the Council of the Catholic doctrine of justification, in the absence of the Protestants, ran counter to the express will of the Emperor. It was likewise natural that there should be serious misgivings about allowing a Council as yet relatively weak and one-sided in its composition, to take a decision fraught with most weighty consequences. Such misgivings must have become vocal though there is no trace of them in the protocol; only the Bishop of Fano and the general of the Augustinians spoke in support of the two legates' warning (Del Monte was absent through illness) about the Council's grave responsibility in the forthcoming debate.

This undoubted success Cervini owed to his unswerving adherence to the principle of the parallel discussion of dogma and reform. As a second topic of the conciliar programme, besides the doctrine of justification, he had proposed the bishops' obligation of residence. However, contrary to Pacheco's hopes, it was not to be discussed by a second commission, simultaneously with the dogma. For the time being it was to be discussed only in writing: the bishops were requested to hand in to the legates lists of the "impediments to residence". In this way the latter hoped to escape the suspicion that they sought to delay this central item of the reform on the one hand, and on the other, to gather material which would give the Curia a chance both before and during the forthcoming debate on residence, to meet the bishops' wishes by means of appropriate directives to the central authorities and thereby convince them of the Pope's intentions with regard to a reform. "We are certain", Cervini explained, "that as a result of our representations the Pope will remove all impediments to residence that have their origin in the Roman Curia."

This undoubtedly over-confident language did not fail to impress even the Spaniards. The Bishop of Castellamare thanked the legates in due form for this promise, for the fulfilment of which—in view of so many disappointments—the legates themselves trembled in their inmost hearts. In the hope of promoting the reform in Rome their report held out an alluring prospect before the authorities. It was to the effect that if good decisions were promptly taken in this respect in Rome, so that the two great decrees on justification and on the duty of residence could be completed in the forthcoming July Session, the Council might be considered as practically terminated. The remaining tasks would resemble only little rivulets springing from these two

sources. The prospect was tempting indeed, but it was no more than a mirage.

The manner in which the debate on justification was to run its course had not yet been decided, for the Council was still without an order of procedure, were it only one based on custom. Pacheco's proposal to entrust the discussion of the problem of justification and the preparation of the decree to a commission met with the approval of no more than a dozen prelates—the majority were unwilling to dispense with the congregations of theologians. Opinions were even more divided on the question, at what stage of the debate a draft of a decree should be submitted and how it should be framed? From all this Cervini drew the obvious conclusion first to make arrangements for the congregations of theologians and after that to let the plenary assembly decide the future course of action. So the theologians were to be heard once more; as a matter of fact, on that very day, and for the purpose of orientation, the legates laid before them six questions connected with the complex problems we have sketched in the above paragraphs<sup>1</sup>:

<sup>1</sup> Congregations of theologians of 22-28 June 1546: as late as 23 June the legates hoped that four congregations of theologians would suffice, *C.T.*, VOL. X, p. 536, l. 21. By the 26th, twenty-five divines had spoken but a third of the total number had not as yet done so, *ibid.*, p. 540, l. 15. Their final verdict, *ibid.*, p. 546; Grechetto's *ibid.*, p. 539. Massarelli's miserly protocols, VOL. V, pp. 262-79, provide only inadequate information about the six congregations of theologians (there was none on the 24th, it being the feast of Corpus Christi). It is evident that the secretary was unable to keep pace with these subtle disquisitions, especially when they were read from manuscript, as in the case of Diruta, VOL. V, p. 262, l. 19; Sarra, *ibid.*, p. 264, l. 1; Silvester of Cremona, *ibid.*, p. 275, l. 8, and Visdomini, *ibid.*, p. 278, l. 16, hence he confines himself to meaningless generalities ("ut alii catholice et eleganter"). All the more welcome, therefore, are the *Summarium* of Marcus Laureus based on his own personal notes, *C.T.*, VOL. V, pp. 279 ff., and the stock of original votes, small though it is. To those of Salmeron and Antonio de Pinarolo (the latter differs considerably from the protocol) which have been published by Ehses, must be added those of the Carmelite Vincent de Leone and the Franciscan Richard of Le Mans, J. Olazáran, "Nuevo voto tridentino del Carmelita V. de Leone", *Revista Española de Teología*, II (1942), pp. 649-80; *id.*, "Un voto desconocido del teólogo tridentino Ricardo Cenomano" *Estudios eclesidásticos*, XVI (1942), pp. 453-71. For Cod. 614 of the Archives of the Gregorian University from which these votes—and others to be mentioned later—have been taken, see J. Lennerz, "Voten auf dem Trienter Konzil über die Rechtfertigung", *Gregorianum*, XV (1934), pp. 577-88.—No order is apparent in the series of thirty-four theologians who spoke, but from a letter of Salmeron to St Ignatius, dated 10 July (*M.H.S.J.*, *Epp. Salmeronis*, VOL. I, p. 26) we learn that by Cervini's special request one of the Jesuits spoke at the beginning of the congregation and the other at the end. On 14 July there was a supplementary congregation of theologians (Massarelli calls it *congregatio volentibus interesse*) in order to enable the Dominican Bartolomeo de Miranda, who had returned from a general chapter in Rome, and the papal theologian Ambrosius Catharinus, to state their opinions, *C.T.*, VOL. V, p. 336; VOL. I, pp. 89, 560. We do not know why the Capuchin general had not spoken previous to this occasion, cf. VOL. X,



(1) What is meant by justification both as regards the name and the thing? (2) What are the causes of justification? What is God's part in the process and what man's? (3) How are we to understand the assertion that man is saved by faith? (4) Do works play a role in the process of justification—both before and after—and in what way? What is the role of the sacraments in that process? (5) Let them describe the process of justification—what precedes, accompanies and follows it. (6) By what proofs from Scripture, the Fathers, the Councils and the apostolic traditions is the Catholic doctrine supported?

It is obvious that by the formulation of these questions a part of the discussion was already anticipated. All the more regrettable is it that we are once more left completely in the dark about their origin. The Universities of Cologne, Louvain and Paris, as well as most of the controversial theologians had extracted isolated propositions from the writings of the Protestants and had condemned and refuted them. The Council took another road: it sought to state the problem objectively, as it existed in reality. The venture was a bold one. In six congregations between 22 and 28 June (24 June was the feast of Corpus Christi), thirty-four theologians were heard in no discernible order. Nearly one half of them, namely sixteen, were members of the two Franciscan families. At first the bishops attended in considerable numbers (forty-four in fact, that is, three-quarters of those present at the Council), but after a time the number decreased; at the last congregation there were only twenty-six present. No time-limit had been laid down for the speakers. Each congregation lasted from three to four hours and in that time at least four, but never more than eight, speakers were heard. Now for the first time we have notes taken by Massarelli, but they are so meagre and in part so faulty that they add but little to the information contained in the customary *Summarium*, the compilation of which the conciliar secretary, aware of the fact that he was unequal to the task, left to the Dominican Marcus Laureus who evidently made use of his own personal notes. We accordingly draw once more on the *Summarium* to enable us to form a mental picture of what these theologians held in common and what bound them together, and to sort out certain divergences in their theological views by means of the protocol and the original votes that have been preserved.

p. 559, l. 4.—For the literature, in so far as it concerns the course of the theological congregations, see J. Hefner, *Die Entstehungsgeschichte des Trienter Rechtfertigungsdekretes* (Paderborn 1909), pp. 85 ff. (only for Pinarola); H. Rückert, *Die Rechtfertigungslehre auf dem Tridentinischen Konzil* (Bonn 1925), pp. 100 ff., 134 ff.; H. Jedin, *Seripando*, vol. 1, pp. 375 ff. (Eng. edn. pp. 339 ff.).

The definitions of the nature of justification put together by Laureus have this in common that the process is not exhausted by the forgiveness or the non-imputation of sin; on the contrary, it produces something positive in man himself whereby he is made pleasing to God, innocent and holy; is created anew and justified. These two elements of the essence of justification the Thomist Laureus summed up in a single sentence: "Justification", he writes, "is the remission of sin by God through grace."

In their answers to the question about the causes of justification the theologians did not merely take advantage of the possibilities provided by Aristotelian logic to expound the subject-matter (the Franciscan Conventual Antonio de Pinarolo enumerated as many as ten *causae iustificationis*), they had this in common that all of them maintained that in some way man must take a share in the act of justification, that is, in other words, he must co-operate with the grace of God. Only four theologians gave it as their opinion that the relation of the human will to grace was a purely passive one. They were the two Hermits of St Augustine, Gregory of Padua and Aurelius of Rocca Contracta, the Dominican Gregory of Siena and the Servite Lorenzo Mazochi.

The role of faith in the process of justification was diversely defined, in accordance with the schools to which the various divines owed allegiance. The Scotists, headed by Alfonso de Castro, placed the act of faith in the preparatory phase, though even there it occupies a central position, as it does in Salmeron's view, whereas the Thomists regard the infused virtue of faith as an effect of grace. This is the formal teaching of Gregory of Siena. It was generally agreed that faith, defined as an assent to revealed truth, does not justify by itself alone but only does so in association with charity—*fides formata caritate et gratia*—the good works that make a man righteous, and the sacraments of Baptism and Penance. The Friar Minor Richard of Le Mans put the matter in a brief formula: "Faith in the gospel and keeping the commandments."

The differentiation between the first and second justification was a step forward, beyond mere catchwords. In the first justification of the sinner good works are only part of his disposition, they do not form a basis for merit, whereas the good works of the justified increase grace and are meritorious. In addition to the four theologians already mentioned, the Dominican John of Udine, regent of the convent of San Lorenzo at Trent, also advocated the notion of "justification by faith", namely "if we firmly believe that our sins will be forgiven on account of the merits of Christ".

To judge by the minutes, the fifth question, about the successive steps in the process of justification, was only taken up by a very few theologians. They viewed the difference between *gratia movens*—the motion by grace previous to justification—and *gratia gratum faciens*, or *concomitans*, that is, sanctifying grace, from God's point of view, so that they made no contribution to the discussion of the process of justification.

Of the Biblical proofs that had been collected, the *Summarium* quotes only two, Rom. II, 13; Matt. XVI, 24; the most important argument from tradition against the *sola fide* doctrine was the list of questions to the catechumen in the ritual of Baptism.

On 1 July the legates reported that, with three or four exceptions, the speeches of all the theologians had been inspired by a "Catholic" spirit. They had good reason to regard these utterances of the divines as a valuable preparation for the general debate that was about to open. The instinct for things Catholic which was common to all, or to nearly all of them, had found conscious expression without being in any way affected by the speakers' allegiance to the traditional theological schools whose differentiating influence made itself felt.<sup>1</sup> We must take note

<sup>1</sup> For the influence of the schools of theology on the Tridentine doctrine of justification and the dogmatic history of the problem of justification we can only draw attention to the following works: H. Lennerz, "Das Konzil von Trient und theologische Schulmeinungen", *Scholastik*, IV (1929), pp. 38-53; E. Stakemeier, "Die theologischen Schulen auf dem Trienter Konzil während der Rechtfertigungsverhandlungen", *T.Q.*, CXVII (1936), pp. 188-207, 322-50. For the doctrine of justification of early scholasticism, see A. Landgraf, *Dogmengeschichte der Frühscholastik*, VOL. I, PTS i and ii (Ratisbon 1952-3), especially PT i, pp. 202-19 (sanctifying grace), 238-302 (preparation), PT ii, pp. 7-40 (faith and works), 75-110 (merit). For the teaching of Aquinas on justification: R. Schultes, "Circa doctrinam S. Thomae de iustificatione", *Angelicum*, III (1926), pp. 166-75, 345-54; P. de Voogt, "La justification dans le sacrement de la pénitence d'après Thomas d' Aquin", *Ephem. theol. Lovan.*, V (1928), pp. 225 ff.; cf. also VII (1930), pp. 663 ff.; M. Flick, *L'attimo della giustificazione secondo S. Tommaso* (Rome 1947), with copious indication of literature. For the neo-thomistic school immediately before the Council and during its course, see F. Stegmüller, *Francisco de Vitoria y la doctrina de la gracia en la escuela Salmantina* (Barcelona 1934); *id.* "Zur Gnadenlehre des spanischen Konzilstheologen Domíngio Soto", *Das Weltkonzil von Trient*, VOL. I, pp. 169-230; I. Tellechea, "El Articulus de justificatione de fray Bartolome de Carranza, O.P.", *Revista española de Teología*, XV (1955), pp. 563-635. For the Scotist teaching on justification I owe valuable suggestions to J. Auer, *Die Entwicklung der Gnadenlehre in der Hochscholastik*, 2 Vols. (Freiburg 1942-51), especially VOL. II, pp. 49 ff., as well as to the numerous works—to be mentioned later—of the Franciscan Valens Heynck; W. Detloff, *Die Lehre von der Acceptatio divina bei Joh. Duns Scotus mit besonderer Berücksichtigung der Rechtfertigungslehre* (Werl 1954); comparison of the different directions of late scholasticism in P. Vignaux, *Justification et prédestination au XVI<sup>e</sup> siècle* (Paris 1934); for the nominalist teaching on justification, which was not represented at the Council, but an understanding of which is indispensable for an appreciation of Luther's position, see G. Feckes, *Die Rechtferti-*

of this influence, at least in so far as it had any bearing on the purpose of the debate, which was the demarcation of the Catholic doctrine of justification from the Lutheran.

The preponderant influence of the Franciscan theologians was due not only to their number but likewise to the subject-matter of the discussion. The Scotist school had more fully elaborated the psychological and ethical aspects of the process of justification—the “disposition” through fear, contrition and faith. The notion of this school that justifying grace was identical with the theological virtue of charity facilitated an understanding of justification as an experience. In other respects also it was easier to arrive at an understanding of the Lutheran doctrine of justification if one started from the Scotist system in which justification meant first of all remission of sin followed by the infusion of grace, without these two acts being of necessity intrinsically connected. In the Scotist view merit did not depend exclusively, or in the first instance, on the intrinsic worth of man’s actions but rather on their acceptance by God. If this implied a certain softening of the concept of merit around which there was so much and such sharp controversy, the theory of acceptance by God at least stressed the gratuitousness of justification. The chief difficulty for this school was precisely how to reconcile this gratuitousness with the possibility of a preparatory disposition.

In this respect the Thomists had a lighter task. In their strictly theocentric system justification meant the sinner’s motion towards God through sanctifying grace, followed logically, not chronologically, by the remission of sin. Just as darkness vanishes before the light, so is the remission of sin effected by the infusion of grace. The gratuitousness of justification was demonstrated with all the clarity that could be wished for, while the psychological aspect of the process was somewhat

*gungslehre des Gabriel Biel* (Münster 1925); J. M. Dalman, “La Teología de la disposición a la justificación en vispera de la revolución protestante”, *Revista Española de Teología*, VI (1946), pp. 249-75, against the alleged Pelagianism of late scholasticism. However, in this sphere the last word has not yet been spoken. That the relation of sin and the infusion of grace was the subject of lively discussion shortly before the rise of Luther may be gathered from the Leipzig theses of Matthew Henning, c. 1502, cf. O. Clemen, “Eine vorreformatorische Disputation über die justificatio”, *A.R.G.*, XXIII (1926), pp. 294 ff. For the Augustinian school, see the literature for CH. VII below. Attention has very properly been called of late to the significance of the Louvain theologian John Driedo and his writings on the doctrine of grace which appeared in the fifteen-thirties: H. Peeters, *Doctrina J. Driedonis a Turnhout de concordia gratiae et liberi arbitrii* (Malines 1938); T. Dhanis, “L’Antipélagianisme dans le ‘De captivitate et redemptione humani generis’ de Jean Driedo”, *R.H.E.*, LI (1956), pp. 454-70.

summarily disposed of. To the motion caused by God in the sinner there correspond the latter's conversion to God and his aversion from sin; though the possibility of an imperfect preparation is conceded, little is said about the road that leads to justification. The group of five Dominican theologians, though relatively small, was in an unassailable position when it had to defend itself against the accusation of Pelagianism; it found it much more difficult to come to terms with the notion of justification as an experience.

It is evident that preoccupation with the reformers' theory of justification did not obliterate the divergences between the theological schools; only Nominalism (Luther had battled against its theological anthropology) no longer found a defender at Trent. In the other schools "there existed in fact something like uniformity of theological opinion based on a definite doctrinal system" (Stackemeier), but there was no uniformity of teaching controlled by authority in the various Orders. If such a control had existed, would it have been possible for the French Minorite Asart to say that "justification is by faith, through grace, without works" while his brother in religion Delfino asserted that "the first justification only requires the simple will of God while man's free-will remains passive"? Again, the Portuguese Dominican Hieronymus ab Oleastro defined justification as the remission of sin wrought by union with Christ through faith, not of course by faith alone, since union with Christ is only brought about by the fulfilment of the commandments, while his fellow-Dominican Gaspar a Regibus spoke of the "disposing" value of good works.

The question now arises: Did Luther's teaching succeed in penetrating the minds of the Tridentine conciliar theologians? Appearances point that way. The group of four or five theologians who spoke in favour of the passivity of the human will in the process of justification and who gave support to the notion of justification by faith, placed themselves, ostensibly at least, on Luther's side. That they created such an impression is certain, but the historian will reserve judgment, were it only that the propositions ascribed to these "outsiders" have not been unambiguously handed down in the available protocols, nor have they been sufficiently elucidated. There is not a single sentence in Gregory of Siena's writings that deviates in any way from Thomistic theology. The Prior of the Dominican convent at Trent, John of Udine, who defines justification as the remission of sin through faith, nevertheless includes the sacrament of Penance in that process. The two Augustinian Hermits are visibly striving to bring their teaching on

the all-powerful efficacy of grace and justifying faith into harmony with the teaching of St Thomas. As for the Servite Lorenzo Mazochi, Massarelli merely records the general impression that he opposed the opinions of practically everyone that had spoken before him.

The Bishop of Melopotamos and Chironissa, it is true, denounced the two Augustinians to Farnese as Lutherans as early as 25 June; but his shaft was aimed more widely. The entire Order of the Augustinians, he claimed, headed by its general, was infected with the teaching of the Augustinian Luther. Like the late Cardinal Contarini, Cardinals Pole, Ridolfi and Morone, the Patriarch of Aquileia, Giovanni Grimani, the Bishops of Sinigaglia, La Cava and Fiesole were all infected with Lutheranism—they were all crypto-Lutherans.<sup>1</sup> The Greek prelate was not mistaken when he suspected that in the Augustinian Order and in some circles affected by the evangelistic movement, including even some members of the hierarchy, there was an earnest desire to come to terms with Luther; but his attempt to discredit men like Seripando, Pole and the Bishop of La Cava, even before the opening of the debate, proved unsuccessful. The Pope, supposing he read Grechetto's letter, took no action, while Cervini would surely not have commissioned Seripando, a month later, to draft the decree on justification if he had shared the Greek's suspicion or taken his accusation seriously.

In any case, from this side no shadow fell upon the debate on justification which was about to open. Its basis was to be not the six questions submitted to the theologians but a new arrangement of the material, one more in keeping with doctrinal realities. The proposition which Del Monte read in the general congregation of 30 June distinguished three cases, or rather three stages in the process of justification.<sup>2</sup> This process was to be studied in the light of the somewhat rare yet not purely imaginary case of the conversion of an unbeliever to the faith

<sup>1</sup> Grechetto's denunciation of 25 June, *C.T.*, VOL. X, p. 539, l. 19. The fact that in consequence of a request by Farnese on 2 February 1546, Grechetto sent reports to Rome from time to time is not decisive for an appreciation of the weight attached to his accusations; nor is the further circumstance that Cervini kept up friendly relations with him (going for walks with him, *C.T.*, VOL. I, p. 558, l. 1), and that the legates recommended him in Rome at a later date (9 June 1547). It is obvious that both sides regarded him as an agent supplying information. The Cardinal of Mantua described him as "un hometto di poco valore", Buschbell, *Reformation und Inquisition*, p. 60.

<sup>2</sup> The origin of the *Proposita a legatis in generali congregatione* of 30 June and the additional list of errors, *C.T.*, VOL. V, pp. 281 f., is wrapped in obscurity. Massarelli merely mentions that he had submitted it to the Bishop of Fano on the 29th. For the rest the list of errors takes note of Pelagianism as did the list drawn up in the course of the debate on original sin (*Errorres*, status I, nos. 1, 3-5; status II, no. 1).

(*status primus*). To this model case the answers to the questions which had been submitted to the theologians were to be related: namely, God's action and man's part in it, the significance of faith and the necessity of works, the essential nature of justification. The questions that follow refer to the second and third case or stage which can be regarded as normal in the life of the baptised Christian, namely: By what means can and must the justified safeguard his justification, make progress in it and attain his goal, that is, eternal glory (*status secundus*)? In the event of his forfeiting God's grace by sin, by what means may he rise from his fall and so be once more justified in the sight of God (*status tertius*)? In what does his path differ from that of the converted unbeliever?

To this tripartite arrangement, a copy of which was handed to the Fathers, there was added a catalogue of twenty-two errors connected with justification which, with the sole exception of article 36 of the Bull *Exsurge* concerning free-will, had not been textually extracted from Protestant writings but had been formulated independently. As in the debate on original sin, so now also the contrary error, Pelagianism, was taken into account; but in the debate itself this list of errors played no role whatever.

The general congregation of 30 June agreed to proceed in accordance with the proposed division of the subject-matter. The proctor of the Bishop of Trier, Ambrosius Pelargus, alone found fault with the schema. He wished to see *status* I linked with *status* III and the problem of free-will discussed before all else. The Archbishop of Sassari's proposal to submit a decree at this early stage, with a view to saving time, met with little support. Every one felt that many stumbling-blocks still cumbered the road that led to the longed-for goal.

All the more welcome for the Council at this moment was an external success which was bound to enhance its prestige, namely the arrival of the French conciliar embassy. The event was more in the nature of a formal fulfilment of an obligation arising out of a contract than an expression of an intention to collaborate with a Council which, according to a remark dropped by Francis I shortly afterwards, put the cart before the horse, inasmuch as the execution (that is, the war against the Protestants) preceded the sentence (that is, the condemnation); a Council, moreover, that did not conform to the conciliaristic ideas of the Gallicans. Nearly two months had elapsed between the announcement by Nuncio Guidiccioni of the impending departure of the conciliar envoys and 26 June, the day on which the commissary of the Council,

accompanied by the familiars, met the three envoys of the King of France and escorted them into the city of Trent. The embassy consisted of one diplomatist, Claude d'Urfé, a jurist, Jacobus de Ligneris, and a cleric, Pierre Danès, who by reason of a previous sojourn in Venice and Padua, as well as his friendship with Contarini, was well qualified to act as a go-between. The letters accrediting them were read at the general congregation of 30 June and their admission to all conciliar acts was likewise sanctioned.<sup>1</sup>

The question of precedence still caused the legates a certain amount of anxiety. The envoys of the King of France did not dispute the imperial ambassadors' right of precedence; but what would happen if the envoys of the King of the Romans, Ferdinand I, were to insist upon a similar prerogative? This delicate matter was broached by the over-zealous Archbishop of Matera to the legates' grievous annoyance, for they had hoped to by-pass the problem, thanks to the circumstance that since their first official visit to the legates on 29 August 1545, Ferdinand's envoys, Castelalto and Queta, had made no other public appearance.

When the French envoys were solemnly introduced on 8 July, they took their places below those of the imperial ambassadors but before all the prelates. Their action was not challenged by anyone. For a whole hour Danès spoke of the great services which the kings of France, from Clovis to Francis I, had rendered to the Church and to the Papacy. He exhorted the Council to put an end to the dangerous confusion in the sphere of doctrine by means of dogmatic decrees and to the collapse of ecclesiastical discipline by means of reforms, while showing due consideration for the privileges of the Gallican Church. His promise that the king would see to the decrees of the Council being observed in

<sup>1</sup> General congregation of 30 June 1546: the acts in *C.T.*, VOL. v, pp. 282-5; Severoli alone reports the Bishop of Sinigaglia's proposal of the simultaneous discussion of the *impedimenta residentiae*, VOL. I, pp. 84, ff. Guidiccioni's announcement that the orators "stanno hora per partirsi" in Vat. Arch. AA I-XVIII, 6532, fol. 245<sup>r</sup>, or; Francis I's remarks about the Council's *procedere alterato et adulterato* in Dandino's report of 4 August 1546, *ibid.*, fol. 99<sup>r</sup>. The legates discuss the risk of a quarrel over precedence between the envoys of France and those of Ferdinand I in their report of 1 July and mention their using Madruzzo as an intermediary in order to induce Ferdinand I to forgo personal representation and to empower the imperial ambassadors to act for him, *C.T.*, VOL. x, pp. 546 f. Introduction of the French envoys on 8 July and the speech of Pierre Danès, VOL. v, pp. 309-16; VOL. I, pp. 87 f.; VOL. x, p. 555; Francis I's answer of 27 June to Nuncio Guidiccioni, VOL. x, p. 553, n. 5. For Danès alone do we possess a special work: M. Forget, "Les relations et les amitiés de Pierre Danès 1497-1577", *Humanisme et Renaissance*, III (1936), pp. 365-83; IV (1937), pp. 58-77. The "lettres patentes du Roy" for the three envoys in Ribier, *Lettres*, VOL. I p. 580, bear the date of 30 March 1546.



France was immediately taken up by the president, but with regard to the privileges of the Gallican Church the president contented himself with the cautious formula that they would be respected in so far as this was compatible with general utility. On the question of the French bishops' attendance at the Council the envoys breathed not a word, in fact, when on 27 June Alessandro Guidiccioni reminded Francis I of his earlier promises to despatch fifteen bishops to Trent, he too received an evasive answer. At this time a deputation of the French episcopate of some importance, even numerically, would have enhanced the prestige of the Council far more than the arrival of the envoys.

The general debate on original sin had required three general congregations before the appropriate decree could be submitted to the Council, but the decree on justification needed sixteen such meetings, namely eight on *status* I and another eight on the combined *status* II and III.<sup>1</sup> For most of the time Cardinal Pacheco and the three archbishops who opened the debate on 5 July kept strictly to a carefully prepared manuscript; one-half of the bishops followed their example. They were shy of treating so delicate a theological problem in extempore speeches. Very few of the prelates felt as sure of having mastered the subject as did the Bishop of Bosa in Sardinia, the Dominican Balthasar Heredia who, on 7 July, expounded the interaction of grace and freedom in so excellent a manner as to earn general applause. However, on the following day his fellow-Dominican, the Bishop of Fano, far surpassed him. The bishop's discourse, which lasted two hours, occupied all the time that remained after the introduction of the French envoys. We may pause for a moment to consider it, not only because Bertano

<sup>1</sup> The protocols of the eight general congregations from 5-13 July on *status* I, and the following eight from 15 to 23 July, on *status* II and III, *C.T.*, VOL. V, pp. 286-384 (with the original votes), are exceedingly meagre in places because Massarelli, hoping to obtain the manuscripts of the votes, repeatedly restricts himself to the remark: "legit suam sententiam". According to *C.T.*, VOL. I, p. 570, l. 31, he made use of the *Summarium* of Marcus Laureus when drawing up his protocols. Severoli too is often content to note the names of the speakers for he was not primarily interested in theological questions, *C.T.*, VOL. I, pp. 86-94. To the original votes printed by Ehse, 17 on *status* I and 9 on *status* II, must be added from the collection of the *Gregoriana* that of the general of the Carmelites, Audet, of 13 July, J. Olazarán, "Voto tridentino inedito sulla giustificazione e la certezza de la grazia del Generale Carmelitano Nicolo Audet", *Il Concilio di Trento*, I (1942-3), pp. 272-85; the vote of the general of the Conventuals, Costacciaro, of 22 and 23 July, which treats of all three *status*. Olazarán, "Nuevos documentos tridentinos sobre la justificación", *Arch. teol. Granatino*, XII (1949), pp. 164-209; the two votes of Abbot Isidoro Chiari of 13 and 22 July have been reprinted from a text printed at Venice in 1548, by J. Heiner, *Voten vom Trienter Konzil* (Würzburg 1912), pp. 7-21.

was one of the legates' most intimate advisers, but likewise because of its actual content.<sup>1</sup>

Bertano begins by examining the two basic concepts of justice and faith. There is a threefold justice, namely the justice of God who promised to send us his Son for the forgiveness of sin; the justice of Christ, that is, the merits of his Passion and death, which must be appropriated by us and so become our own (*iustitia inhaerens*); finally the justice of good works by which we prove ourselves to be just. The first justice does not justify; only the second does so because it effects the remission of sins and fits us for the justice of good works. How do we become partakers of that justice? The answer is, by means of an active, dynamic faith (*per fidem*), not by a purely static one (*ex fide*). We are not justified by any kind of faith; devils and sinners believe the facts by which salvation was wrought by Christ as so many historical events, and as for wonder-working faith, St Paul declares that without charity it is nothing, even if it move mountains. Only the faith of the gospel, that is, faith united to hope and charity, justifies. By such a faith alone is man joined to Christ, the second Adam, and enabled to perform good works, that is, works meritorious in the sight of God, without which, according to St James (II, 26) faith is dead. Ethically good works performed previous to faith are not sins, but they have no bearing on justification. Faith freely bestowed by God is actively accepted by man, hence he does not remain purely passive in the process of justification. St Augustine says: "He who made thee without thee will not save thee without thee", and St Thomas declares that "when we are justified, we assent to God's justice". The difference between the Catholic and the Lutheran doctrine of justification appears on three heads, Bertano declares: the *sola fide* formula is too narrow because it excludes hope and charity; faith does not contain personal justification; good works are not merely tokens of justification, they are an essential element of it.

It can hardly be contested that Bertano's vote evidences a profound insight into the real doctrinal differences and does not fasten on mere formulas. The Bishop of Fano spoke as a Thomist; the Minorite Musso, "who earned almost universal approval" by his discourse on 9 July, did so as a Scotist but nevertheless, even more clearly than

<sup>1</sup> Although the original votes of the Bishop of Fano are not available I feel justified in giving a detailed account of his statements because Severoli, *C.T.*, VOL. I, p. 88, also regards them as fundamental both by reason of their intrinsic significance and on account of the speaker's close relations with the legates, in fact he substantially completes the protocol, *C.T.*, VOL. V, pp. 309 f.

Bertano, showed that the dividing line which marked off Luther's teaching lay in the new, gratuitously bestowed justification. He differentiated his standpoint decisively from that of Luther when he declared that the faith spoken of by St Paul was an act of faith resulting from the co-operation of grace and freedom; that, together with repentance and purpose, it was an element of the preparatory disposition and that the infused virtue of faith accompanied the virtues of hope and charity which are bestowed in the act of justification itself. On 13 July the Bishop of the Canary Isles, like Musso a member of the Franciscan Order, spoke on the theme of the preparation for justification. He categorically denied the possibility of merit, even in a loose sense of the word (*meritum de congruo*), without the help of grace, but he did not regard naturally good works as worthless because "in some way" they move God to mercy.

It is impossible within the frame-work of a historical presentation to give an account of these many-sided notions except by quoting a few examples, but to cite them merely as typical of the opinions of the different schools of thought would be to do them violence. Even such members of the Council as did not belong to any of the great religious Orders that specialised in theology were able to submit well thought out and detailed votes, as for instance the Bishops of Matera, Sinigaglia, Feltre, Vaison and Syracuse. They even succeeded in coining excellent formulas, such as the Bishop of Calahorra's wholly Augustinian dictum: "All our works are wholly God's and wholly ours." The summing up with which Jerome, Bishop of Syracuse, a member of the Beccadelli family of Bologna, concluded his vote on 9 July, appeared to the conciliar secretary so happily worded that, after some alterations, he placed it at the head of his *Summarium* as being the expression of the Catholic notion of justification commonly held by all the members of the assembly. For us also it may well stand as the embodiment of the Council's "answer" to the new doctrine of salvation, an answer whose framing in the terms of a decree was to occupy yet many months.<sup>1</sup>

It runs thus: "In the act of justification God prevents man with his grace, enlightens, or moves his intelligence not only inwardly but from outside as well, through the preaching of the word of God (Rom. x, 14 ff.). If this call is heeded, God brings home to man his unbelief, ungodliness and unrighteousness and offers him justification and re-

<sup>1</sup> C.T., vol. v, p. 337, to be compared with the vote of the Bishop of Syracuse, *ibid.*, p. 320, l. 49. The second *Summarium* has been drawn upon for the sake of completeness, *ibid.*, p. 381, l. 29.

mission of his sins through Christ. Where this preventing grace is accepted, there follows faith in the divine promise concerning Christ and in the imparting of Christ's merits by God's mercy to man, a sinner. As he surveys his previous life, man conceives a horror of his sins. Through the sacrament of Baptism he is born anew and justified by the free grace of God, not alone by the ascription to him of the justice of Christ, but by an indwelling grace inherent in himself. This grace is bestowed on him, infused in him and made his very own in such wise that by it he becomes a just man. Simultaneously with the imparting of this grace all his sins are blotted out, his spirit is renewed by the Holy Ghost and charity is poured forth in his heart. He also receives further assistance from the Holy Ghost who so strengthens him that in spite of moral weakness he is able to observe God's commandments." If to these statements of the *Summarium* of the second half of the debate we add the one sentence that "the good works done in God's grace do not only preserve and increase justice, but likewise merit eternal life", we are in possession of the Council's answer, as yet incomplete it is true, to the seven questions which we set down at the beginning for the purpose of orientation.

The question arises: Had Luther's teaching been merely declined? Had it failed to make an impression on any one of the fifty prelates? Did not the common traditional doctrines, which are also found in his teaching, lead to an approach to him at least on some particular points?

The contribution made by Seripando, the general of the Augustinians, to the debate on original sin makes us eager to read his vote on the present question. However, we deliberately do not base our account of his doctrine of justification on the original text of his votes of 13 and 23 July, which have come down to us, and even less on the official protocols, but rather on a tractate of considerable size drawn up by him some time before the opening of the debate, starting from the six questions of 22 June. In this treatise, in which he did not have to consider a critical audience, Seripando developed his views of justification in its internal coherence.<sup>1</sup> He premises two postulates: the future decree on justification must dispense with scholastic terminology and speak a language that laymen can understand, if it is to become a rule of life and belief. Furthermore, the decree must link up with religious experience—not indeed any chance or subjective experience, but with

<sup>1</sup> Seripando's tractate on justification, *C.T.*, VOL. XII, pp. 613-36; the votes, VOL. V, pp. 332-6; 370-5; described in Jedin, *Seripando*, VOL. I, pp. 364-73 (Eng. edn. pp. 326-35), on the basis of his earlier pronouncements on the subject of justification.

such typical examples of conversion as are found in Holy Scripture and Christian tradition, such as the conversion of David, St Paul, St Augustine. We are thus led to the following conclusion: four factors are simultaneously at work in the conversion of an adult unbeliever, (1) the grace of God freely accepted by man without any previous preparation due to his unaided natural powers; (2) repentance, in co-operation with grace; (3) God's justice; (4) the appropriation through faith of that justice. The interaction of these four factors is as follows: Out of pure goodness God bestows on the sinner a grace by which he calls the offender back to himself (*gratia praeveniens, operans*). The sinner is only able to respond to this call if it is accompanied by a second grace, one that heals the will and sets it free to do what is right (*adiutorium*). This grace enables him to accept the grace of the call; he takes cognisance of his condition, repents and turns away from sin. At this stage God's justice intervenes, that is, God's saving will as implied in the person and in the redeeming work of Jesus Christ. Man believes and trusts in Christ and so becomes united to him and secures God's pardon of his sins (*iustificatio fidei*). Thus reconciled to God he receives the Holy Spirit with all his gifts, especially that of charity which enables him to fulfil the commandments (*iustitia operans*). Thus the remission of sin is wrought on the basis of the acts of faith and trust. Charity is God's gift to the reconciled. The objection that was to be expected, that this sketch implied the acceptance of the *sola fide* doctrine, Seripando countered by pointing to the fact that the remission of sin and sanctification are only logically separate, not chronologically, and as a psychological process they are simultaneous.

Justification is preserved with the help of divine grace at the cost of a sustained struggle with concupiscence and its growth keeps pace with the increase of faith, hope and charity. But in the event of its being lost through grievous sin the believing sinner must tread the same path as the unbelieving one, and in addition must receive the sacrament of Penance which remits eternal, but not temporal, punishment. Justification is only completed at the moment of man's entrance into eternal life which is both a grace and a reward—a grace in so far as the good works in themselves do not possess the perfection corresponding to the strict justice of God, and a reward because when joined to the justice of Christ, from which they stem, and to Christ himself, to whom the just man is united by faith, they can be regarded as worthy of a reward (*non praecise ex operum dignitate sed ex Dei misericordia aspiciente christianum hominem factum per fidem membrum Christi et participem*

*iustitiae Christi*). We can only speak of man's merit with the reservation that the reward is also a grace.

It is evident that with his definition of justification by faith and his teaching on merit, in which we recognise at once his conception of concupiscence with which we are already familiar, but above all with his attempt to combine the theocentric and the psychological consideration of the subject-matter, Seripando goes a step further in the direction of Luther and in fact even oversteps the line later drawn by the decree. When expounding his votes his caution was such that at least in the ranks of the conciliar body no criticism of his orthodoxy was heard. According to Severoli, Bonuccio, the general of the Servites, whose sermon had given so much offence three months earlier, earned general approval by his vote of 16 July, which took him nearly two hours to deliver, because it was thought that he had resolved "all difficulties learnedly and in a Catholic spirit" (*et docte et catholice*). At the conclusion of his discourse he expressly submitted himself to the judgment of the Council.

On the other hand five Fathers of the Council gave offence in the course of this first general debate. They were the Archbishop of Siena, and the Bishops of La Cava, Worcester, Aquino and Belluno. According to Severoli's account, on 5 July Archbishop Piccolomini had ascribed to Christ "every stage of the process of justification", and had made use of the *sola fide* formula. However, neither the text of this vote nor that of 15 July has been preserved. Of the vote delivered on 9 July by the Englishman Richard Pate, a friend of Cardinal Pole, we have only the account of Marcus Laureus, to the effect that Pate had defended both justification by faith alone and the passivity of the will. On the other hand it is less certain that he denied the meritoriousness of good works. In his second vote, on 20 July, he coined the saying "justice increases as faith increases". The views of the other three prelates are known through the original text of their votes. Galeazzo Florimonte, a humanist and a friend of Seripando, merely asserts that justification by faith is not preceded by good works but that they must follow it, for otherwise faith would be barren. Giulio Contarini, Gasparro's nephew, expounds three notions: (1) All human activity previous to justification has no merit-value and the "disposition" is exclusively God's work. (2) When the sinner, overcome by grace, assents to it, he experiences the forgiveness of his sins, receives the gift of faith, that is, true, living faith allied to charity and in this way is made a just man. By means of this faith he participates in the merits

of Jesus Christ, independently of the works of the law. (3) Good works are the necessary fruits of faith; they are as inseparably connected with it as light with the sun, so that he who lacks them also lacks a living faith—but they do not imply merit.

The only prelate who we know for certain had made Luther's formulas of "faith alone" and "the servile will" his own, is the papal conciliar commissary Sanfelice. His psychology of justification keeps close to the Lutheran. When the sinner, terrified by the prospect of impending doom, knows not which way to turn, God shows him his mercy in Christ and bestows on him faith "in the mystery of redemption", which is accompanied by hope, charity and repentance but which is able to save by itself alone. By faith alone the ungodly is reunited to God (*ex impio factus pius*), loves God, hopes in him and surrenders himself to him. But we must not overlook the fact that like St Thomas, Sanfelice regards the sequence of forgiveness of sin and sanctification not as a chronological but as a logical one. He nowhere speaks of man's passivity; man does not resist the call of grace but obeys it. However, faith, hope, charity and true repentance are all fruits of the Holy Ghost, not acts by which man disposes himself for justification. The practice of these virtues produces yet richer graces and more perfect works, like a well-watered garden or a river fed by fresh springs. For all that the just man acknowledges himself to be a sinner before God and ascribes all the good accomplished in him wholly to God's mercy. Like Johann Eck in his disputation with Karlstadt at Leipzig, Sanfelice appeals to the Church's prayer on the sixth Sunday after Pentecost in support of his teaching on grace. This collect runs thus: "O God of might, from whom all that is good proceeds, graft upon our hearts the love of thy name and grant us an increase of piety, in order that thou mayest foster what is good and with tender solicitude mayest preserve that which thou hast fostered."

If we leave the Englishman Pate on one side—after all we have not a single undoubtedly authentic pronouncement of his—it is not difficult to see that the concern of the four above-named Italians is to establish the fact of the gratuitousness of justification, but owing to the adoption by them of the apposition "faith-works", their votes sound more Protestant than they really are.<sup>1</sup> None of them wants to be a Lutheran;

<sup>1</sup> The votes of the five prelates suspected of Lutheran leanings: the Bishop of Siena, *C.T.*, VOL. I, p. 86, l. 26; the Bishop of Worcester, VOL. V, p. 383, l. 20; p. 364, l. 20; the Bishop of Aquino, *ibid.*, p. 327; the Bishop of Belluno, *ibid.*, pp. 325 ff.; the Bishop of La Cava, *ibid.*, pp. 294 ff.; 352 ff. Severoli's observation about Bonuccio, VOL. I, p. 90, l. 3. Domíngo a Sta Teresa, *Juan de Valdes* (Rome 1957), pp. 294 ff.,

all submit to the Council, including Sanfelice, who had been more reckless than the rest in making Luther's vocabulary his own, so much so indeed that in places one has a feeling that one is listening to the latter rather than to the papal conciliar commissary. He alone became the victim of a provocation and of his own recklessness.

In the general congregation of 17 July Sanfelice had given his vote on the second and third stages of justification—a harmless speech by comparison with the first—and the assembly had come to an end. His opponent, Dionisio de Zanettini (Grechetto), was standing near him, engaged in conversation with the Bishop of Rieti, Mario Colonna, and the Bishop of Bertinoro, Thomas Casellus, a Dominican. The Bishop of Rieti was telling Grechetto, who evidently had already condemned Sanfelice's views in a previous conversation: "Your turn will come on Monday." The Bishop of Bertinoro thereupon took the Greek by the hand and, looking towards Sanfelice, observed: "Next Monday he will let you have it!" Sanfelice took up the pleasantry and laughingly replied: "I am ready for it!" But turning towards the Bishop of Bertinoro, Grechetto added under his breath: "He has no excuse; he is either a knave or a fool." The Bishop of Bertinoro added fuel to the flame by remarking: "I have often told him that he does not understand these things at all." Sanfelice, the proud scion of a noble Neapolitan family, had overheard the Greek's words though they were spoken in an undertone. Approaching him he asked: "What are you saying?" Grechetto repeated his remark aloud and without any attempt to soften it: "Yes," he said, "you are either a knave or a fool." Instead of any answer the infuriated prelate seized the offender by his beard and shook him so violently that a wisp of hair remained in his hand. Thereupon the victim of the aggression shouted for all to hear: "I have said that the Bishop of La Cava is either a knave or a fool, and I shall prove it."<sup>1</sup>

thinks he can detect some after-effects of Valdes and of the work "Del beneficio di Cristo" in the votes of the Bishops of Belluno, La Cava and Worcester and even in that of the Bishop of Fano.

<sup>1</sup> The Cava-Grechetto incident was discussed in the general congregations of 17 and 19 July, *C.T.*, VOL. V, pp. 354 ff., 361 f. My presentation is based on the four protocols of the hearing of the case, *ibid.*, pp. 357 ff., which agree on the main points but differ greatly as to details. It is clear that the Bishop of Bertinoro suppresses the remark with which he had egged on Grechetto, that is, that he had often told the Bishop of La Cava that he knew nothing of dogmatic theology. Besides Severoli, *C.T.*, VOL. I., pp. 93 f., Pratanus must also be considered, for his attitude, VOL. II, p. 385, l. 22, shows that the Spaniards regarded the sentence as too mild, especially as the Emperor insisted on "correction y castigo", VOL. XI, pp. 64, l. 7; cf. *ibid.*, p. 66, l. 15. For the legates the incident was exceedingly painful, VOL. X, pp. 565, l. 21; 569, l. 24; 576, l. 5, and of course also for the Pope, *ibid.*, p. 572, l. 18, since La Cava was his conciliar commissary.



The Council could not ignore an incident of this kind. By the terms of Canon Law, Sanfelice was guilty of a personal injury punishable by excommunication. What rumour would make of it was of course incalculable. A general congregation was convoked for the same afternoon in which the Fathers were to give their opinion on the incident. The Spaniards, including the ambassador, Toledo, were for a severe punishment of the offender whom they regarded as a Lutheran. On the other hand the bishops of the kingdom of Naples, headed by the Bishop of Bitonto, pleaded for leniency to which his great services to the Council and his blameless character entitled him. On a motion by Pacheco it was resolved that before any further step was taken the two parties, as well as the actual witnesses of the incident, should be questioned. Sanfelice was interned in the convent of San Bernardino, of the Franciscans Observant, and the members of the Council were forbidden to have any kind of intercourse with him since he was an excommunicate. Sanfelice submitted to these measures in a contrite spirit.

The minutes of the above-mentioned examination were read in the general congregation of 19 July. It was evident that feeling had veered round in favour of Sanfelice. Del Monte pointed out that some of the blame must be laid on the shoulders of the Greek since it was he who had provoked his opponent. However, the legates refused to absolve Sanfelice from the excommunication which he had incurred, though they might have done so in virtue of their legatine powers. In that case Sanfelice could have resumed his place in the Council. But the legates were all the more unwilling to act as at this very moment the Spaniards Pacheco and Calahorra were particularly insistent that the whole affair should be settled by the Council. The legates maintained that the offender must seek absolution from the Pope. The votes were so divided that no decision was reached that day. Sanfelice was only set at liberty on 28 July, after Grechetto had pleaded on his behalf. It was left to him to seek absolution from the Pope himself. Though debarred from participation in the conciliar transactions he nevertheless continued to reside at Trent until 3 September, when he was absolved by the legates, but in virtue of a special authorisation which they had obtained in the meantime. He then left the city of the Council for

The Bishop of La Cava's absolution on 3 September, VOL. I, p. 571, l. 19, on the basis of powers granted on 25 August, VOL. X, p. 622. Rückert, *Rechtfertigungslehre*, p. 167, n. 3, has a short but objective account of the incident. At Chiavenna Camillo Renato, who had heard of the incident but imagined the culprit to be a Frenchman, passed this judgment: "Opera plane spirituum papisticorum"; Tr. Schiess, *Bullingers Korrespondenz mit den Graubündnern*, VOL. I (Basle 1904), p. 98 (15 August 1546).

good and his duties as conciliar commissary were taken over by the Bishop of Belcastro, Giacomo Giacomelli. As for Grechetto, he was not ashamed to ask for himself if not the office at least the salary of the deposed commissary. When his demand was rejected he gave vent to his exasperation in a letter to Rome, in which he said: "I have become a laughing-stock for the Council and for the Lutherans."

On 15 July, and while the general debate was still in progress, the legates had had four deputies elected by secret ballot for the purpose of drafting a decree. Those chosen were the Bishop of Bitonto (40 votes), the Bishop of Belcastro (23 votes), the Archbishop of Armagh and De' Nobili (19 votes each). To these deputies the legates adjoined the most distinguished of the conciliar theologians and Cervini personally took a lively interest in their work. The formulation proved so difficult that the draft was only handed out to the Fathers on 23 and 24 July, that is a bare seven days before the date of the Session. But before it was submitted for discussion the Archbishop of Armagh laid it before the conciliar theologians at a meeting in his residence.

The first draft of the Tridentine decree on justification was at one time universally ascribed to the Franciscan Andreas de Vega, on account of its close resemblance to a copy made by Vega and which was thought to be a preparatory piece of work; but in reality this paper represents a later treatment of the draft of 23 July, which went under the name of the four deputies. Which of them actually wrote the paper, the Bishop of Bitonto or the Bishop of Belcastro, is uncertain.<sup>1</sup> In highly

<sup>1</sup> The first draft of the decree on justification of 23 July—the "July draft", *C.T.*, VOL. V, pp. 384-91, went under the name of the deputation of four, appointed on 15 July, to which the legates had adjoined some conciliar theologians, VOL. X, p. 565, l. 18, hence in their report of the 21st they say that the task had been concluded by the deputies "in compagnia di molti altri theologi dei migliori che sieno qui", *ibid.*, p. 569, l. 5. On the 23rd the prelates were told to collect the copies at Massarelli's office, VOL. I., p. 562, l. 23. Supplementary consultation of the conciliar theologians took place between 24 and 29 July at the Archbishop of Armagh's house, *ibid.*, p. 564, l. 7. That the copy in VOL. XII, pp. 637-43, is Vega's work and not a preliminary sketch of the draft, but a subsequent revision, which took into account the *annotationes theologorum* and perhaps even the votes of 13 and 17 August—as is attested by a note in Cervini's own hand—has been convincingly demonstrated by V. Heynck, "Der Anteil des Konzilstheologen Andreas de Vega, O.F.M. an dem ersten amtlichen Entwurf des Trienter Rechtfertigungsdekretes", *Franziskanische Studien*, XXXIII (1951), pp. 49-81. For the actual authorship we have two contradictory witnesses: on 8 August the Bishop of Belcastro sent to his brother Cosmo, the Pope's personal physician, a copy of the draft with the remark "Quale io ho facto . . . come deputato" and in fact "a concurrentia di quello ha facto Mons. Cornelio, quale da tutti prelati è biasimato, essendo lo mio, impolito un poco, passata in sessione", *C.T.*, VOL. X, p. 596, l. 17. On the other hand the Bishop of Alba asserts on 9 August that the Bishop of Bitonto was chiefly responsible for the work; "hanno fatto di capo del vescovo Cornelio un decreto",

rhetorical language the document proclaims in three sections the gratuitousness of justification through the appropriation of Christ's merits. It then goes on to condemn in eighteen canons the errors that had arisen, namely four about the essence of justification which, it states, does not consist exclusively in the imputation of the merits of Christ (*sola imputatio Christi*) but in the bestowal of justice (*donatio iustitiae*), that is, in the gift of an inherent, sanctifying grace (*gratia gratum faciens nobis inhaerens*). It then affirms the gratuitousness of justification (there is no question of merit through free-will, *promereri per liberum arbitrium*) and the necessity of man's co-operation in the acceptance of grace and in the preparatory act of faith (8-11). The refutation of the *sola fide* doctrine is very thorough (12, 13); so is the defence of merit (14, 15, 17). For the preservation of justification man needs the grace of perseverance (16); the grace of justification may be forfeited without faith being lost. The doctrine that we can be certain of possessing grace and of being saved is described as erroneous (18, 19). The doctrine of the necessity of faith in one's personal justification is rejected in canon 20 and the process of justification in the conversion of the believing sinner outlined. The concluding canon deals with the effects of the sacrament of Penance.

The conciliar theologians to whom the Archbishop of Armagh submitted this draft declared themselves in agreement with most of the canons, or contented themselves with proposing some slight alterations, mostly on points of style, and only in respect of canon 18 which, contrary to the general Scotist inspiration of the draft rejected the possibility of certitude about one's being in a state of grace, did they judge a fresh discussion unavoidable. Incomparably sharper were the bishops' criticisms. The Bishop of Bitonto, one of the four responsible for the draft, freely granted that it was no masterpiece. On 9 August the humanist Vida, Bishop of Alba, wrote in disparaging terms to the Cardinal of Mantua that it was a sermon rather than a decree; in places its effect was that of a lecture or a homily; he would not disgrace the Council by passing it on further.

*ibid.*, p. 866, l. 18. The expression "di capo" is somewhat vague so that I no longer dare (as in *Seripando*, VOL. I, p. 381, n. 6, Eng. edn., p. 345, n. 28) describe Giacomelli's claim to authorship as sheer boasting. On the other hand nothing is known of a separate draft by the Bishop of Bitonto which Giacomelli presupposes unless the "lineamenta" in *C.T.*, VOL. V, pp. 428 ff., are his work. The Bishop of Bitonto's observations, VOL. I, p. 98, l. 7, would be more readily understood if he really took a decisive share in the making of the draft. The assertion of the Anonymous, VOL. X, p. 582, l. 5, that the reading of the draft had taken one hour and three-quarters is surely an exaggeration.

In the course of the debate which, for different reasons of a political nature, as we shall have to explain, presently, only opened on 13 August,<sup>1</sup> it became evident that a large number of prelates had not seriously studied the lengthy document. The reason given by a number of them, that they had not had the theologians' glosses at hand, was an evasion, not an excuse, for though these explanations had not been officially circulated by the secretary, there was nothing to prevent those interested in the subject from obtaining a copy from Massarelli, as became the usual practice in the last period of the assembly. The most serious objection to the draft came almost in identical terms from the Bishop of Fiesole and the proctor of the Bishop of Trier, Pelargus. The decree, they urged, must be shorter and clearer; it must not explain but define. They cavilled at the fact that some themes, which were not strictly to the point, were alluded to but not discussed, such as indulgences and Purgatory. With regard to canon 18, the general of the Conventuals, Bonaventura Costacciaro, and the general of the Carmelites, Nicholas Audet, in accordance with the memorial of the theologians, demanded a discussion of the problem of the certitude of grace and salvation. Only with difficulty was Grechetto restrained from starting a quarrel with Costacciaro about the true meaning of the teaching of the doctor of his Order, Scotus, on this question. As on other occasions, with which we are already acquainted, Grechetto was not slow with the accusation that his opponent sided with Luther.

Though criticism of the draft was lively the debate itself was sluggish and unexciting. When it was continued in the general congregation of 17 August six prelates demanded that the draft be withdrawn and another submitted in its place. Bonuccio described it as "unacceptable in all its parts" (*in omnibus displicet*). What the latter said aloud the cautious Seripando confided only to paper. From the marginal notes on his copy of the draft, we gather that he disagreed with it on all the

<sup>1</sup> General congregations of 13 and 17 August: protocol and original votes in *C.T.*, VOL. V, pp. 402-13. Of the original votes of the 13th that of the Bishop of Fiesole is the most important as regards its content. On the 17th the Bishops of Ascoli, Feltre and Vercelli demanded that the heretics should be named in the decree, *ibid.*, pp. 412, ll. 10 and 38; 413, l. 22. The Bishop of Corfu, *ibid.*, p. 411, l. 29, already speaks of "alia decreta", hence he must have had an inkling of Seripando's draft. Severoli, *C.T.*, VOL. I, pp. 100 ff., is again much more interested in the political observations of Pacheco, San Marco and Caorli than in the theological questions. The legates' reports touch only lightly on both general congregations, VOL. X, pp. 607, l. 10; 616, l. 21. The suspicion mentioned in the latter place, that when Pacheco and his adherents pleaded unpreparedness, their sole aim was to delay the discussion, is shared by Severoli, *C.T.*, VOL. I, p. 101, l. 40. Grechetto's attack on Costacciaro, VOL. X, p. 586, but the date—2 August—is doubtful.

decisive points. The restraint practised in public by the general of the Augustinians was dictated by a special consideration. Since 11 August Cervini had had on his desk the draft of a new decree drawn up by Seripando at the legate's request. The fact was that, by the time it came to be discussed, the July draft had already been scrapped, nor had the fact remained a complete secret. This accounts for the slackness of the debate, though it does not explain everything. Why was the draft put on one side during the week of 23 to 29 July, while the time-limit for the Session lapsed? And why did another fortnight go by before it came up for discussion?

The answer to these questions comes from another quarter. The fact was that the Council had been caught in the turmoil of international events on the edge of which it had stood from the beginning. Even while it came into being, at the turn of the year, and while it was busy on its first decrees during the ensuing months, weighty political and military decisions were preparing in the Empire. In the course of June and July, while the sun beat down fiercely upon the valley of the Adige and the Council-hall in which the problem of justification was being discussed, the great war had broken out in Germany. The latest reports from the theatre of war proved far more exciting for the Fathers than the theological formulas which were their real concern. The question now was: should the Council remain at Trent, or had the time come for its translation into the interior of Italy?

## The Outbreak of the War of Schmalkalden and the First Plan for the Translation of the Council

AT the conclusion, in May and June 1545, of the negotiations for an alliance between Pope and Emperor (VOL. I, pp. 521 f.), Rome expected that the war would begin in the autumn of the same year. If a whole year elapsed before the Emperor struck the first blow, the explanation lay not exclusively in the slow progress of his military preparations, but equally in his habit of giving long and careful thought to all weighty decisions. He was unwilling to have recourse to force against the Protestants, although he had conceived such a plan as early as the conclusion of the Diet of Augsburg—only to reject it again and again—before every possibility of an understanding had been positively exhausted and no other way out could be discerned. He continued to enjoy the freedom of movement in his external policy which the Peace of Crépy had secured for him. The death on 9 September 1545 of the Duke of Orleans, whose marriage with a Habsburg princess was to have sealed the peace between the two dynasties, introduced into the preliminaries for the establishment of friendly relations with France which, as it was, were making but little progress, a complication which was by no means unwelcome to the Emperor though it did not force an alteration of course. Only the peace between England and France, concluded on 7 June 1546 at Guînes, contained the possibility of a new combination of the Powers.<sup>1</sup> However, by this time the die had been cast.

<sup>1</sup> In my opinion the development of the political situation from the end of 1545 up to the summer of 1546 is best worked out by K. Brandi, *Karl V*, pp. 449-72 (Eng. edn. pp. 523-49) and *Quellen*, pp. 352-70; more briefly in P. Joachimsen, *Die Reformation* (Munich 1951) pp. 246 ff.; G. Ritter, *Die Neugestaltung Europas im 16. Jahrhundert* (Berlin 1950), pp. 173 ff.; H. Hauser-A. Renaudet, *Les débuts de l'âge moderne* (Paris 1946) pp. 469 ff., 490 ff.; full and thorough, L. Ranke, *Deutsche Geschichte im Zeitalter der Reformation* (Akademieausgabe) VOL. IV, pp. 307 ff.; J. Janssen, *Geschichte des deutschen Volkes*, VOL. III<sup>20</sup>, pp. 673 ff. The following specialised works on Charles V's policy on the eve and at the beginning of the war of Schmalkalden have been used: F. Hartung, *Karl V und die deutschen Reichsstände 1546-1555* (Halle 1910), pp. 20 ff.; P. Heidrich, *Karl V und die deutschen Protestanten am Vorabend des Schmalkaldischen*

In the Recess of the Diet of Worms, 4 August 1545, the Emperor had announced, without the consent of the Catholic Estates, a new religious colloquium to be held at Ratisbon. A religious colloquium! Was not this in open contradiction with the solution agreed upon at Worms: first war and after that a Council—"cannon and canons"? No alternative seems possible. Either the religious colloquium was seriously meant as a fresh attempt to reach an understanding with the Protestants by means of direct negotiations—and this meant a return to the policy of reunion which had been abandoned since the Diet of Ratisbon in 1541 and acceptance of which by the Curia would be extremely surprising—or the colloquium was no more than an attempt to deceive for the purpose of gaining time to prepare for war, in which case the attitude of the Curia is easily accounted for.

However obvious the latter assumption appears and however much the course of the colloquium seems to support it, it does not quite correspond to the facts. Even at this time the Emperor did not pursue a one-way policy. The Pope might view the conference as a manoeuvre in the execution of the great plan and so ignore it, but at Trent it was regarded as a move against the Council, all the more so as it did not open on 30 November, as originally planned, but only two months later, on 27 January, hence long after the opening of the Council.<sup>1</sup>

*Krieges*, VOL. II (Frankfurt 1911-12); Rückert, *Rechtfertigungslehre*, pp. 14-38. In my presentation an attempt is made to bring out more clearly than has been done up to now the connection of events in Germany with the Council, on the basis of printed sources.

<sup>1</sup> The religious colloquy of Ratisbon of the year 1546: the best survey of sources is in F. Roth, "Der offizielle Bericht der von den Evangelischen zum Regensburger Religionsgespräch Verordneten an ihre Fürsten und Oberen," *A.R.G.* v (1907), pp. 1-30; 375-97. The official report there reprinted was made use of by M. Bucer in his *Disputata Ratisbonae in altero colloquio anno XLVI et collocutorum Augustanae confessionis responsio* (sine loco 1548 and dedicated to Joachim II of Brandenburg on 20 November 1547). Bucer's reports to Strasbourg in *Politische Correspondenz*, VOL. IV, PT I; pp. 16 ff.; those to Philip of Hesse in Lenz, *Briefwechsel Philipps von Hessen*, VOL. II, pp. 389 ff., 406 ff. The reports of Major and Brenz in *Corp. Ref.*, VOL. VI, pp. 35 ff., 51 f., 64, 82; the objections of the Wittenbergers after the conclusion of the colloquy, pp. 118 ff., 135 f. Count Wolrad von Waldeck's notes are most informative; printed by V. Schultze, "Das Tagebuch des Grafen Wolrad II zu Waldeck zum Regensburger Religionsgespräch 1546", *A.R.G.*, VII (1909-10), pp. 135-84; 294-347; H. Nebelsieck "Elf Briefe und Aktenstücke über das Religionsgespräch von Regensburg 1546", *A.R.G.*, XXXII (1935), pp. 127-36; 253-83. The official Catholic account is in *Actorum colloquii Ratisponensis ultimi verissima narratio* (Ingolstadt 1546); Billick's *Epistola* of 30 April 1546, is printed in his work: *De ratione summovendi praesentis temporis dissidia* (Cologne 1557), fols. lvi<sup>v</sup>-lxix<sup>v</sup>; cf. A. Postina, *Der Karmelit Eberhard Billick* (Freiburg 1901), pp. 82 ff. For the role of the president Maurice von Hutten: K. Ried, *Moritz von Hutten, Fürstbischof von Eichstätt, und die Glaubensspaltung* (Münster 1925), pp. 81-97; further material in J. Deutsch, *Kilian Leib* (Münster 1910), pp. 123-30. Cochlaeus's reports to Cervini for the months of February

Trent's fears were groundless. The Emperor insisted that no binding decisions were to be taken at the colloquium; its task was to be exclusively of an informatory nature, namely the drawing up of a report for the Diet which was also convoked to Ratisbon. There was therefore no question of forestalling the decisions of the Council. However, the Catholic Estates, especially Mainz and Salzburg, persisted in rejecting the project. The Emperor appointed on his own authority not only the presidents, namely Maurice von Hutten, Bishop of Eichstätt and Count Frederick Fürstenberg, but in agreement with his brother he also designated the four Catholic collocutors in the persons of his chaplain, Pedro Malvenda, the Carmelite Eberhard Billick, the Augustinian Johann Hoffmeister and Johann Cochlaeus, together with four assistants. The Protestants chose for their representatives that veteran of religious colloquia, Martin Bucer, who was, however, placed under the tutelage of the two Swabians, Brenz and Schnepf. Melanchthon's absence was a demonstration of the negative attitude of the Elector of Saxony. His place was taken by the youthful George Major. The Emperor's trusted delegate and leader of the Catholics in the negotiations was Malvenda, "the sophist of the Sorbonne", as the Protestants called him on account of his having read theology in Paris. The coadjutor of Mainz, Michael Helding, who by the express command of the Emperor and to the annoyance of the legates had left the Council, kept in the background at Ratisbon. He acted thus at the suggestion of his new archbishop, Sebastian von Heusenstamm, and the same line of conduct was adopted by the Bishop of Naumburg, Julius Pflug, who originally had been intended for a leading role.

From the very beginning the Protestants' attitude was dictated by mistrust—justifiable mistrust. They rejected Malvenda's proposal that

and March 1546 have been published by W. Friedensburg, *Z.K.G.*, xviii (1898), pp. 600 ff.—Narratives: H. von Caemmerer, *Das Regensburger Religionsgespräch im Jahre 1546* (Berlin 1901); P. Heidrich, *Karl V und die deutschen Protestanten am Vorabend des Schmalkaldischen Krieges*, vol. II (Frankfurt 1911-12), pp. 190 ff.; Schottenloher, nos. 41390-41398. Gutiérrez (*Españoles*, pp. 962-5) also did not find much information about Malvenda and neither the day of his birth nor that of his death is known. The negotiations of the auxiliary of Mainz, Michael Helding, for permission to go to Ratisbon in *C.T.*, vol. I, p. 341, l. 18; vol. x, pp. 266, l. 17; 286, l. 26; 306; his departure on 8 January 1546, vol. I, p. 369, l. 12; cf. N. Paulus, "Michael Helding. Ein Prediger und Bischof des 16. Jahrhunderts", *Katholik*, lxxiv, pt ii (1894), pp. 410-30; 481-502.—For an appreciation of the religious colloquy at Trent, see *C.T.*, vol. I, pp. 223, l. 10; 238, l. 20; 497 ff. (a summary account probably based on Cochlaeus's letters); Seripando's disapproval, *C.T.*, vol. II, p. 407, l. 12. The Bishop of Bitonto describes the religious colloquy as a "conciliabulo particolare", vol. x, p. 451, l. 30; Verallo's standpoint, *ibid.*, p. 457, l. 16.



the discussion should be informal and that only the results should be put on record. They insisted on a written record being kept of all speeches, on the appointment of a notary belonging to their party, and on the right of keeping their employers fully informed, and this on the basis of the protocols which they demanded the right to inspect. The first two demands were conceded by the presidents, subject to the Emperor's approval, but the protocol remained under lock and key, though without prejudice to the right to report. For the first subject of discussion the Emperor had designated the article on justification. The basis of the discussion was the *Book of Ratisbon*. There could be no question of a fruitful conference. Between 5 and 7 February, Malvenda and Billick dictated their views to the notaries on behalf of the Catholics while Bucer did so for the Protestants. For the space of three days an attempt was made to proceed by means of a free exchange of opinion, but on 23 February a return was made to the old, ponderous method which precluded every possibility of bringing the two stand-points closer together. On the following day the Emperor's *Proposition* reached the city. It meant the end of the colloquium. Each one of the Protestants' three demands was rejected. The Protestants justly resented this blunt decision as a provocation; on the other hand it also deprived them of the possibility of using the acts for purposes of propaganda, as had been their intention. On 10 March they broke off negotiations. On 20 March the Saxons vanished with the utmost secrecy; Bucer followed them a little later. A worse failure could hardly have been imagined, but in spite of it Philip of Hesse and Bucer were anxious to continue the conference, but the men of Wittenberg who had never expected anything to come out of the colloquium, refused to go on no less firmly than the Catholic collocutors and Nuncio Verallo.

We may ask, "Was this second conference of Ratisbon after all no more than a farce?" For the Catholics it was an understood thing that it was not for them to pronounce judgment in controversial matters—to do so was the concern of the Council—while the Protestants asked with justifiable mistrust what political motives lay behind the colloquium. The two theological fronts faced each other in a stiff and even hostile attitude which could at any moment turn into military fronts. The mentality of the Spaniard Malvenda and his powerful backer, the imperial confessor, Pedro Soto, differed greatly from that of Contarini and Gropper who had impressed upon the colloquium of 1541 the stamp of their personality. But the Bucer of 1546 was likewise no

longer the Bucer of the *Book of Ratisbon*. The last pre-Tridentine meeting of Catholic and Protestant divines held no promise of a *rapprochement*, but when one remembers the Emperor's complex mentality one hesitates to describe it as a farce. In the monarch's mind it was undoubtedly a supreme call for a halt, while it must be admitted that it already sounded a threatening note.

As was to be expected, the Council made no attempt to intervene in the colloquium, but for all that an unofficial and exceedingly thin line of communication stretched between Trent and Ratisbon. On 20 February 1546, a Conventual of the name of Melchior Flavius, a native of Toulouse, presented himself at Ratisbon. He had been appointed by the general of his Order, Johann Calvus, visitor of the convents of Upper Germany. He had come from Trent and was the bearer of letters addressed to Bucer and Brenz who invited him to the lodgings of the Hessian theologians on the following day, to enable him to give an informal report about the Council to a small group of persons. The gathering included Bucer, Brenz, Schnepf, Major, the Hessian Pistorius and a few Protestant guests, among them Count Wolrad von Waldeck to whom we owe an account of the curious scene.<sup>1</sup> Flavius presented himself with two companions. To Bucer's question whether he was charged with any kind of mission on the part of the Council he answered that he had nothing in writing, but he recounted how he had seen the Pope and had passed through Trent. The Pope, he alleged, had charged him, in the event of his meeting with learned Protestant divines, to invite them to come to Trent, where not a hair of their heads would be hurt. On his own authority he added: "The German Protestants must surely have a leader. Now, since of the five ancient patriarchal Churches only two survive, and since Rome has been rejected by you, there only remains Constantinople. Are you prepared to go that way?" Flavius further declared that the conciliar legates had charged him to bring their greetings to Bucer and Brenz. On the conciliatory dispositions of the former they (the legates) set great hopes for Germany's return to the Roman Church. Bucer asked Flavius to reciprocate these good wishes on his return to Trent and to inform the legates that if the Council declared itself superior to the Pope, and decreed that bishops must be appointed in accordance with the principles laid down in the first Epistle to Timothy (1 Tim. III, 1 ff.), he would come to Trent.

<sup>1</sup> For the conduct of the Franciscan Melchior Flavius at Ratisbon, according to Count Wolrad von Waldeck's diary, see *A.R.G.*, VIII (1910), pp. 309 f.; for his character Wadding-Sbaralea, VOL. II, pp. 245 f.

Thus far Wolrad's story. There is no reason to doubt its veracity, but there is good reason to suspect that Flavius, even if he had a commission, gave it an interpretation and an extension which neither the Pope nor the Council had intended. In any case nothing came of this non-committal conversation.

While the theologians of both parties faced each other in an atmosphere of depression in the town-hall of Ratisbon, and finally separated without having achieved anything, the Emperor set out from the Netherlands for the Rhine, passing through Maastricht, where he received a deputation of the Protestant Estates. At Speyer, in the last days of March, he met the Landgrave Philip of Hesse, the leading political head of the League of Schmalkalden. The conversations between the Emperor and the Landgrave were remarkable for their informality. We can only regard them as a supreme effort on the monarch's part to ascertain Philip of Hesse's attitude before the final break.<sup>1</sup> They covered the whole of the political scene, the Council occupying the central position. Fully aware as he was that the guarantee of "peace and justice" given to the Protestants at Speyer in 1544 would only hold good up to the time of the Council, Philip spoke of his fear that the Council of Trent was "no more than a partisan Council called by the Pope with a view to a speedy decision to invoke the secular arm and to continue with the execution" ("ein sollich partiisch concilium vom pabst vorgenommen, eilend zu schliessen und brachium saeculare anzurufen und mit der execution fortzufahren"). He refused to recognise the Council and obstinately stuck to the formula of "a free Christian Council in the German nation" ("ein frei christlich concili in teutscher Nation zu halten") to which "seculars", that is, laymen, would be admitted. The oath by which the bishops assembled at Trent were said to have bound themselves to the Pope would have for its consequence that "they would not speak or decree anything but what pleased the Pope" ("nix wurden reden oder decernieren dan das dem pabst gefällig"). A reform of the Church by them was out of the question. Against this the Emperor urged that the reform of the Church was precisely the chief task of the Council for which he himself had striven for years and which had at last come together. There was no intention whatever to execute the decrees with excessive haste and

<sup>1</sup> The conference between Charles V and Philip of Hesse on 28 March, at Speyer, according to the protocol, in A. von Druffel, *Briefe und Akten zur Geschichte des 16 Jahrhunderts*, vol. III (Munich 1882), pp. 1-9; negotiations with Granvella, *ibid.*, pp. 10 ff.

on that account to take action against the Protestants. That he regarded the Council of Trent as the one that had been promised was not left in doubt. The soothing clause with regard to the execution of the decrees did not mean that they would not be carried into effect. At a later stage of the conferences, when Philip put in a plea on behalf of Hermann von Wied, the fundamental divergence of convictions found expression in the Emperor's remark: "The reform does not mean embracing a new faith" ("reformieren heisst nit ein neuen glauben annemen"). In a conversation with Granvella, on 29 March, Philip, among other things, reverted to the plan of a national assembly, that is, a national Council by which reunion would be more easily achieved than by a general one. Granvella replied that according to Catholic principles such an assembly might indeed introduce reforms, but it could never establish rules of faith—there can only be one faith for all. Thus both the Emperor and his chancellor stood firmly by the Council of Trent while Philip rejected it no less decisively.

On 10 April 1546 the Emperor made his entry into Ratisbon where the Diet should have been opened as early as 15 March.<sup>1</sup> Only two bishops were present at his arrival. In the course of the month of May a few Catholic princes also arrived but not a single member of the League of Schmalkalden. The *Proposition* with which the Diet was at last opened on 5 June left the initiative in the religious question to the Estates. Its conciliatory tone was meant to deceive the opponents for by this time the Emperor was irrevocably resolved to go to war. On 9 June he wrote to his sister Maria of Hungary: "My efforts while I was on the way, as well as the colloquium of Ratisbon, have proved a failure. The Electors and princes who have seceded are determined not to attend the Diet in their own persons. On the contrary, they are resolved to rise as soon as the Diet is over, to destroy the spiritual princes and to proceed against the King of the Romans and myself. If I were to wait, all would be lost." "The moment is favourable, for their wars and their preparations for war have weakened them." "If we did not strike now all the Estates of Germany would be in danger of falling away from the faith, and so would the Low Countries. After weighing all this again and again I have decided to go to war against

<sup>1</sup> Diet of Ratisbon of 1546: Verallo's report in *N.B.*, I, VOL. IX, pp. 62 ff.; the Emperor's letter to Queen Maria dated 9 June, in Lanz, *Korrespondenz des Kaisers Karl V*, VOL. II (Leipzig 1845), pp. 486-91; the German extract, Brandi, *Karl V*, pp. 470 f. (Eng. edn., p. 547). For the course of the Diet, Heidrich, *Karl V und die deutschen Protestanten*, VOL. II, pp. 111-53; further literature, Schottenloher, nos. 28097 ff., 28644 ff.

Hesse and Saxony as the disturbers of the peace. . . . And although this pretext will not deceive anyone for any length of time about the fact that it is a question of religion, it will at least help to divide those who have seceded."

The decision was for war. What now happened at the Diet—the acceptance of the Council by the Catholic Estates on 12 June, its rejection by the Protestants on the following day—was only a façade; behind the scenes the Emperor was drawing together the meshes of the net in which he hoped to catch the men of Schmalkalden. Though Bavaria promised no military aid she nevertheless sided with the Emperor; Protestant Brandenburg remained neutral and an alliance was successfully negotiated with Duke Maurice of Saxony.

The Emperor was particularly anxious to win over as a confederate this youthful, ambitious prince who, though a Protestant, was not a member of the League of Schmalkalden. As a confederate Maurice constituted a military threat from the rear for his bitterly hated cousin, the Elector John Frederick of Saxony, and he was no less welcome because, as a Protestant, he would lend credibility to the Emperor's official war aim, which was said to be the subjection of rebels within the empire, not the suppression of Protestantism. The chief difficulty was the Duke's attitude to the Council of Trent. In the hope of inducing him to submit to it and so to make him a suitable confederate Granvella, in his negotiations with the Saxon councillors at the beginning of June, represented the Council not only as the fulfilment of the Emperor's promise of such an assembly but as a direct instrument of imperial policy.<sup>1</sup> The Emperor and his brother would see to it that it should be "a Christian, free and righteous Council" ("ein christlich, frei und rechtschaffen concilium"), that its members would proceed slowly and above all that there would be nothing precipitate in the way of dogmatic definition. He even went so far as to assert that at Trent the Pope was not a judge but was subject to the decisions of the Council "like everybody else". He did not seem interested in the immediate despatch of Saxon envoys, his only concern was the acceptance, in principle, of the Council, and this much he obtained. On 5 June the Saxon councillors made the following declaration: "If the Emperor

<sup>1</sup> The negotiations with Maurice of Saxony in E. Brandenburg, *Politische Korrespondenz des Herzogs und Kurfürsten Moritz von Sachsen*, vol. II (Leipzig 904), pp. 617-24; text of agreement, p. 662; cf. E. Brandenburg, "Der Regensburger Vertrag zwischen den Habsburgern und Herzog Moritz von Sachsen", *H.Z.*, LXXX (1898), pp. 1-42; Ferdinand's remarks about the Council in the report of Councillor Carlowitz 17 May 1545, in Brandenburg, *Polit. Korr.*, vol. II, pp. 268 f.

sees to it that the Council proceeds in the manner described, the Duke will not refuse to submit to it. Through his envoys he will assure himself that controversies are decided in accordance with Holy Writ (*iuxta sacram evangelicam Scripturam*) and Canon Law (*rite ac canonice*) and that decrees for Church reform are also issued." The final text of the agreement, dated 19 June 1546, dealt with Granvella's assurance in respect of the Council (*quod in eo omnia legitime procedant*), as a prerequisite, though not as a formal condition of the Duke's two promises, namely that he would submit to it in principle and, at a later date, would send representatives to Trent.

The negotiations for an alliance with Maurice of Saxony make it perfectly plain that the Emperor's conciliar policy was necessarily double-faced: the face turned to the German Estates was that of the guarantor of the independence and legitimacy of the Council, here seen as an essential part of the great plan; the consequence of which was that the other face, the one turned to the Tridentine conciliar legates, was bound to appear to the latter as a tyrant's mask. When Granvella discoursed about the Council's independence, that expression meant something very different from what the legates understood by it. Actually in May 1545, even King Ferdinand, in conversation with the Saxon councillor Carlowitz, had expressed the opinion that "as soon as the Council opens the Pope's authority will come to an end and he will be subject to the Council" ("sobald der anfang des concilii gemacht, des papsts gewalt aufhören und dem concilio unterworfen sein werde"). The affair of the reform, which the Council was to take in hand, was a general concern and did not exclude, but included the Protestants, for there was no lack of people in other countries who were anxious to see the failings of the Church corrected and whom fear would not silence at the Council, but who would speak their minds openly. We have seen that Ferdinand was not mistaken when he spoke thus: what is significant is the ambivalence of the term "reform".

The confederates of Schmalkalden were aware of their peril, but it took a long time before they roused themselves to take energetic counter-measures. To the Elector of Cologne, Hermann von Wied, who had become a Protestant, and who was hard pressed but not dislodged, they gave only moral support. At their Diet at Frankfurt (16 December 1545 to 8 February 1546), they associated themselves with Hermann's appeal to a free, Christian Council but did not dare to offer military assistance. Count Palatine Frederick II, who had recently received

Communion in both kinds, was refused admission into the confederation and much time was wasted in petty financial disputes. Even in the next Diet, at Worms, from 12 to 22 April 1546, the Landgrave Philip of Hesse—the only one to see the danger clearly—failed to persuade them to make large-scale preparations. He complained bitterly of the Protestants' pusillanimity and unwillingness to make sacrifices. No outside help could be hoped for. They had diplomatic contacts with France and England, but at the moment these two countries were still at war with one another. The Strasbourg agents, Johann Sturm and Johann Sleidan, collaborated with Cardinal du Bellay's entourage who favoured the Protestants and were hostile to the Council, but all they got from them was fair words. In the course of conversation with the English agent Mundt, Philip of Hesse ascertained that their antagonism to the Council of Trent was mutual but no military help could be hoped for from England. Moreover, in France Nuncio Dandino, who had been despatched to that country in the summer of 1546, acted as a screen for the alliance between the Pope and the Emperor which had been concluded in the meantime.<sup>1</sup>

The men of Schmalkalden took a much more lively interest in the Council than in warlike preparations. At the Diet of Worms they had refused to send representatives to Trent and this standpoint they maintained even when, against every expectation, it had actually materialised and had been inaugurated. After that the idea of the Council proved its strength in spite of its having been battered and knocked about by prolonged controversy, so much so indeed that the Protestants saw themselves compelled to justify their negative attitude before public opinion and to protect themselves against the expected execution of the conciliar decrees by imperial authority, by furnishing proof that the assembly at Trent was not the "free, Christian Council in German lands" they had demanded and which the Emperor had promised them. About the rejection of the Council they were all of one mind, but they were unable to agree about the grounds for such an

<sup>1</sup> The conciliar policy of Schmalkalden in 1545-6 according to *Pol. Corr. Strassburg*, VOL. III, pp. 697 ff.; VOL. IV, PT I, pp. 6-24 (*Bundestag* of Frankfurt); instructions for the *Bundestag* of Worms, VOL. IV, PT I, pp. 52-69. Philip of Hesse's complaint of the Protestant's pusillanimity in Lenz, *Briefwechsel*, VOL. II, p. 437. Negotiations with France, *Pol. Corr. Strassburg*, VOL. IV, PT I, 3, pp. 74 ff., 96, 105 f.; Philip of Hesse's conference with the English agent Mundt, *ibid.*, p. 49. Dandino's reports from the French court, *N.B.I.*, VOL. IX, pp. 120 ff., 171, n. 2. A. Hasenclever, "Neue Aktenstücke zur Friedensvermittlung der Schmalkaldener zwischen Frankreich und England im Jahre 1545", *Zeitschrift für die Geschichte des Oberrheins*, LIX (1905), pp. 224-51.

attitude. The ideas of the men of Wittenberg differed widely from those held in Hesse, Strasbourg and Tübingen.

Luther was still alive at Wittenberg. In the last days of March 1545, his last big book *Wider das Papsttum* had been his riposte to the convocation of the Council of Trent. On 21 March he wrote to Philip of Hesse that its aim was "to show to all who had rejoiced at the false report of his death whether he was dead or alive".<sup>1</sup> Now as before, he refused to believe that the Pope really wanted a Council: "The Pope is deceiving both Emperor and empire with the Council", he wrote, "for in Rome they will not put up with a Council for all eternity" (2 May 1545). On 7 May 1545, he wrote: "Like unripe barley they will let the Council stand in the haulm. They only make arrangements for it so as to be able to say: 'The Protestants listen neither to Pope nor Church, Emperor nor empire, nor to the Council which they have so often demanded'" (9 July 1546). There could be no question of his submitting to such a Council: "this might have been done a quarter of a century ago"! First reports from Trent which, in point of fact, were not particularly encouraging, only drew sarcastic remarks from him. A news-sheet which among other things contained a list of those present at the Council was described by him as "Rome-Mainz twaddle" ("Römisch-mainzisches Gewäsch"). When he heard that the proctor of the Archbishop of Mainz had set out for Trent he observed: "The monster (Cardinal Albrecht of Mainz) is making game of us and of the Pope" (16 July 1545). When a few weeks before his death he heard the news of the opening of the Council he observed: "The remedy comes too late, it will not achieve its purpose" (29 January 1546). For all that he had a feeling that the struggle was now beginning in good earnest: "Arise, Lord, and scatter thy enemies, Amen, Amen, Amen", was one of his last utterances about the Council. A few days before his death at Eisleben he requested his companion Justus Jonas to pray for the affairs of the evangelical Church "for the Council of Trent and

<sup>1</sup> Comments of Luther on the Council 1545-6 from Luther's works, *W. A. Briefwechsel*, VOL. XI (Weimar 1948); no. 4085 to Philip of Hesse, 31 March 1545 (p. 58); no. 4099 to Albrecht of Prussia, 2 May 1545 (p. 83); no. 4103 to John Frederick of Saxony, 7 May 1545 (p. 88); no. 4132 to Nicholas Amsdorf, 9 July 1545 (pp. 131 f.); no. 4136 to Justus Jonas, 16 July 1545 (p. 142); no. 4193 to George of Anhalt, 29 January 1546 (p. 273). The letters quoted are also in E. Enders, *Martin Luthers Briefwechsel*, VOL. XVI (Leipzig 1915) and VOL. XVII (Leipzig 1920). The pamphlet "Wider das Papsttum zu Rom vom Teufel gestiftet", in *Luthers Werke*, VOL. LIV (Weimar 1928), pp. 195-299; the Latin translation arranged for by Jonas appeared in two editions in that same year 1545, so that those Fathers who knew no German could easily take cognisance of it. On the whole subject see also R. Stupperich, "Die Reformatoren und das Tridentinum", *A.R.G.*, XLVII (1956), pp. 20-63.



the Pope are very angry with it" ("denn das concilium zu Trient und der Bapst sind seer zornig auff ihne").

It is strange that Luther's death on 18 February 1546 only became known at Trent a month later and that scarcely any notice was taken of the event. As usual a dreadful end was ascribed to the adversary.<sup>1</sup> On 14 March De' Nobili wrote to Lucca that it was reported that Luther had been poisoned by his followers to prevent him from revoking his own teaching which had been tampered with by them. On 20 March the legates, who were already in possession of a pamphlet on Luther's death, reported that he had died at three o'clock in the night of 17 to 18 February, drinking and joking up to the last moment. Cardinal Otto of Augsburg, though not as yet quite sure of the fact, expressed his regret that he had not repented before his death, or else that he had not been taken to Trent, to be burnt at the stake as a heretic—a fate he had so richly deserved. Massarelli confided this prayer to his diary: "Would to God all men of his stamp either listened to reason or were promptly removed from hence."

Luther's death had no bearing either on the course of the Council or on the march of events in Germany. The schism had long ago ceased to be the affair of one man; by this time it was the concern of the Estates of the Empire and of the whole nation. None the less the after-effects of his basic attitude to the Council made themselves felt in that of the theologians of Wittenberg and in the policy of the Elector of Saxony. The men of Wittenberg regarded every attempt to fight the Council on the basis of Canon Law, and still more every effort to influence its course, as a mistake since the whole thing was merely a piece of bluff. Better let things run their course and wait and see whether an attempt would be made to execute its decrees by imperial

<sup>1</sup> Comments at Trent on Luther's death, *C.T.*, VOL. X, pp. 423, l. 29 and *n.* 5; 417, l. 11; VOL. I, p. 518, l. 7. Verallo only informed the legates of Luther's death on 25 March, *N.B.* I, VOL. VIII, p. 585. The remarks of the legates seem to show that they were in possession of publications which appeared at Ratisbon a few days after Luther's death under the title "Drey Schriften von des eerwirdigen Herren Doctor Martin Luthers Christlichem Abschied und Sterben". One of these, viz. a letter of Wolfgang Roth, written at Eisleben on 19 February, states that during his last days Luther had been in high spirits at nearly every meal. The hour of his death (between 2 and 3) indicated in the letter agrees with the one given in the legates' report. J. Strieder, *Authentische Berichte über Luthers letzte Lebensstunden* (Bonn 1912), pp. 12 ff. On 21 March, Cochlaeus forwarded "Historiam de obitu Lutheri, quam ex teuthonico transtulit amanuesis meus, excerptam ex epistola d. Jonae, quam mox post excessum Lutheri scripsit ad electorem Saxoniae", *Z.K.G.*, XVIII (1898), p. 607; cf. N. Paulus, *Luthers Lebensende* (Freiburg 1898), pp. 56 ff.; Grisar, *Luther*, VOL. III, pp. 851 ff. (Eng. edn., pp. 376 ff.).

authority. The Council's condemnation of Protestant teaching would not harm those who adhered to it; it would only strip that assembly of all authority, hence the aim of any justification of their attitude must be to defend their own theological standpoint against the conciliar definitions that were to be expected. They did not deem it advisable to have recourse to arguments from Canon Law for the purpose of contesting the legitimacy of the Tridentine gathering since there was no denying that Canon Law did assign to the Pope and to the bishops the right to issue decisions in all matters of faith, so that arguments from such a source would be of little help against Trent.<sup>1</sup> The decrees of the fourth Session which were disseminated by means of a pamphlet confirmed them in their opinion.

The political leader of the Protestant divines, Martin Bucer, took a very different view of anti-conciliar propaganda.<sup>2</sup> They would only do the Catholics a service by attacking their teaching, which the world does not understand and which would always retain "some sophistry and false glitter". It would be much more profitable to attack "the real abuses", that is, to furnish proof that the Catholic Church was contravening her own ancient law. At Ratisbon Bucer opposed the Bishop of Eichstätt, saying that on a number of points the ancient Church of the early centuries stood on the side of the Protestants, for instance on the question of Communion in both kinds. Where attack promised to be most successful, he imagined, was the wide field of ecclesiastical discipline and on that battlefield there was a prospect of finding allies beyond the boundaries of Germany and even at the Council itself. His rejection of Trent was no less decisive than that of the rest. He regarded it as a "joke" because there was no will to reform on the papal side. On the other hand a merely negative attitude led nowhere; positive proposals must be made and by this means allies must be won.

<sup>1</sup> The Wittenberg memorial on the Council, 14 January 1545, in *Corp. Ref.*, VOL. V, pp. 644-7; Melanchthon's statements, which show that he did not think the Council would materialise, *ibid.*, pp. 835, 888, 892. The Elector John Frederick of Saxony to Philip of Hesse, 11 April 1545, in Lenz, *Briefwechsel*, VOL. II, pp. 337 ff. The pamphlet on the decrees of *Sessio IV* (described as *Sessio III*, because the opening Session was not counted) which we shall have to discuss later on, was sent by Melanchthon to Konrad Heresbach on 31 May 1546, and to Veit Dietrich on 21 June, *Corp. Ref.*, VOL. VI, pp. 148, 177; see also Stupperich, *Die Reformatoren*, pp. 38 f.

<sup>2</sup> Bucer's attitude to the rejection of the Council, on the basis of his letters of 4 April and 24 December 1545, Lenz, *Briefwechsel*, VOL. II, pp. 321 ff.; letters of 18 January and 15 March 1546, *ibid.*, pp. 389 ff., 406 ff. Philip's proposal to send an agent to Trent made in his letter to the councillors at Frankfurt, dated 11 January 1546, is printed in Chr. H. Neudecker, *Merkwürdige Aktenstücke aus dem Zeitalter der Reformation* (Nuremberg 1838), p. 651. For Bucer's epistle *Ad patres in synodo Tridentina* (1546) cf. Stupperich, *Die Reformatoren*, pp. 45 f.

The Protestants should let it be known that they were ready to account for their reformation and to confer with learned and trusty men from Germany and other countries about a "common reformation". Thus in Bucer's opinion the affair of the reform, in which everybody was concerned, was to be played off against the Papacy. If necessary they might even repair to Trent to explain the Protestant standpoint though, of course, there would be no question of submitting to the judgment of the Council. Bucer's train of thought coincided with a suggestion of Philip of Hesse to the effect that they should send an agent to Trent to represent to the Council the "pressure" under which the Protestant Estates laboured.

Anyone acquainted with the inner history of the Council is bound to concede that Bucer saw some real chances for the Protestants, but the men of Wittenberg had a better appreciation of the situation. The divergence between the two standpoints was the occasion for the appearance in the summer of 1546 of two publications for the purpose of justifying the German Protestants' attitude to the Council of Trent. The *Recusationsschrift* (Rejection)<sup>1</sup> was a compendium of memorials drawn up by jurists and theologians of Strasbourg and Tübingen put together by the city advocate of Frankfurt, Hieronymus Lamb. It was read at the Diet of the confederates at Frankfurt on 22 January 1546. It underwent more than one revision in the sequel. Its object was to prove, on the basis of juridical arguments, that the Council of Trent could not be regarded as the "free, Christian Council in German lands" which the Protestants had been promised. The arguments produced were not new. They were the following: The Council should have been convened by the Emperor, not by the Pope whose right of convoking it, even if it were acknowledged, had devolved on the former.

<sup>1</sup> The origin of the Protestant manifesto rejecting the Council in the year 1546 must be traced back to the time of the Diet of Worms when Jacob Sturm and Schwencker urged the Council of Strasbourg to obtain memorials from the jurists with a view to a document of this kind, *Pol. Corr. Strasburg*, VOL. III, pp. 586 f. (29 April 1545); cf. also *Corp Ref.*, VOL. V, p. 732 (Philip of Hesse to John Frederick of Saxony, 16 April 1545). On 30 May the Strasbourg Council despatched four jurists' memorials, as well as a theological one, to Worms, *Pol. Corr. Strasburg*, VOL. III, p. 600. After the conclusion of the religious conference of Ratisbon the men of Schmalkalden shifted their ground with regard to the Council. Work was only resumed at the "Bundestag" of Frankfurt with the help of memorials supplied by the jurists of Tübingen, *Pol. Corr. Strasburg*, VOL. IV, PT I, p. 20. For the summary by Lamb, *ibid.*, VOL. III, pp. 704, 708. However months went by before it was completed, *ibid.*, VOL. IV, PT I, pp. 62-5. On 24 May 1546 the Hessian councillors wrote to the Landgrave that the manifesto was not yet ready, Heidrich, VOL. II, p. 118. I quote the text after F. Walch, *Martin Luthers sämtliche Schriften*, VOL. XVII (Halle 1745), pp. 1152-89; also in F. Hortleder, *Von den Ursachen des Deutschen Krieges Kaiser Karls V* (Gotha 1645), pp. 622-35.

Trent was not a city of the German nation. The Council was not free since it was presided over by the Pope to whom the assembled bishops were bound by oath while the laity were excluded. It could not be called a Christian Council because controversies were not decided on the sole basis of the word of God. No one in the whole world was less qualified to reform the Church than the Tridentine prelates who take advantage of "a religion outwardly fair but exclusively based on ceremonies and idolatrous practices", for the sole purpose of strengthening their own authority and that of the Pope.

This process of reasoning led to the conclusion that the Council of Trent could not be called "a general, free and Christian Council and in view of the Recesses of the Diets referred to, as well as the promises made in the past, it was unsatisfactory and not worthy to be called a Council". Their conscience forbade Protestants to submit to it; they would, however, be prepared to send their envoys to a general, free, Christian, impartial Council in the German nation convoked by the Emperor and in a suitable locality, at which controversies would be decided by godly, learned and impartial men, in accordance with the Holy Scriptures and the trustworthy witness of the ancient, true and apostolic Church. The Tridentine decrees they declare in advance to be null and void and lodge their protest against them.

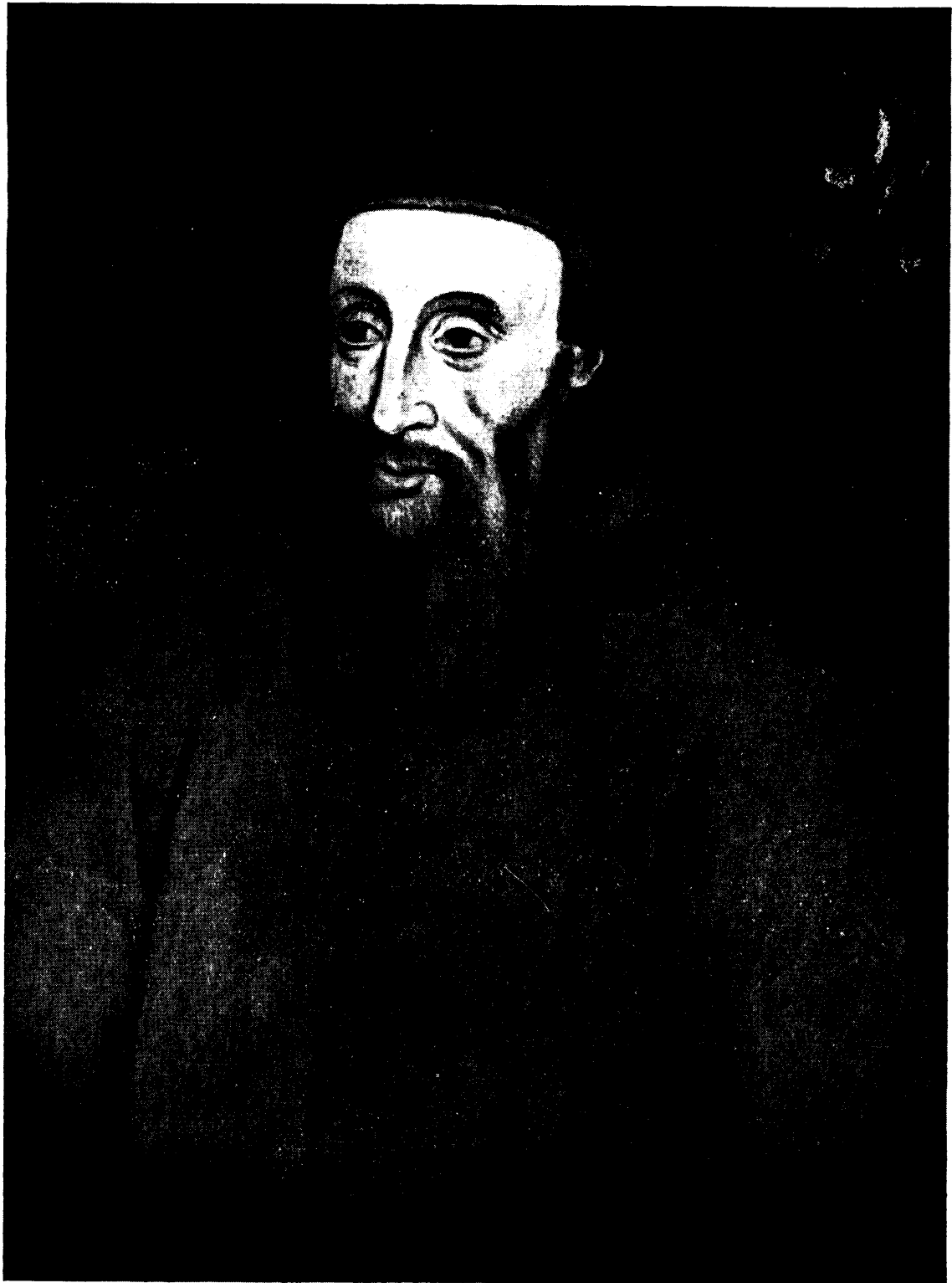
The other apologia, which was inspired by the ideas of the men of Wittenberg, was entitled: "Ursachen, warum die Stände, so der Augspurgischen Confession anhangen, Christliche Lehre erstlich angenommen und endlich dabey zu verharren gedenken, auch warum das vermeynte Tridentinische Concilium weder zu besuchen, noch darein zu willigen sey." That is: "Reasons why the Estates adhering to the Confession of Augsburg have first accepted Christian teaching and intend always to persevere therein, and why the alleged Council of Trent should not be attended nor submitted to."<sup>1</sup> According to its

<sup>1</sup> Melanchthon's "Causes" are connected with the latter's information for the Duke of Anhalt, dated 3 June 1546: "Fui aliquandiu occupatus in scribenda recusatione synodi Tridentinae, de qua tamen non multa dixi, sed causas recitavi, quare omnes debeant amplecti hoc doctrinae genus, quod profitemur", *Corp. Ref.*, VOL. VI, p. 170. On 22 July Melanchthon sent the finished book to Seidemann. He says of it that "magis ad consolandos pios scriptus est quam ut de Tridentina synodo multa disputet", *ibid.*, p. 204. German text in *Melanchthons Werke in Auswahl*, edited by R. Stupperich, VOL. I (Gütersloh 1951), pp. 411-48; also in Hortleder, *Ursachen*, pp. 608-22, and Walch, *Martin Luthers sämtliche Schriften*, VOL. XVII, pp. 1112-52.—I may observe in this place that the story of the antecedents of the Protestant rejection of the Council is still in urgent need of clarification in the light of the archives which have been explored by E. Bizer for many years. Only when these researches are completed will it be possible to pronounce a definitive judgment in this respect.

author, Melanchthon, the work was not to be so much an attack on the Council of Trent as a defence of the Lutheran teaching. It had been necessary to break with the Papacy because the papal Church had forsaken the genuine teaching of the gospel as clearly found in the Bible. Their own teaching as contained in the *Confessio Augustana*, agreed with the three ancient creeds and with "the godly writers who wrote soon after the apostolic era", hence it was not a new teaching but the genuine Catholic doctrine. It may not be suppressed "under pretext of a sham Council" which appeals to novel customs and decrees, by bishops "who know as much of the divine doctrine as the asses on which they ride", who are the slaves of their belly and of their pleasures. At this point the apologia enters upon heavy polemics. The Protestants would only appear before "a genuine ecclesiastical tribunal" composed of adherents of the truth. If they presented themselves before the Tridentine judges they would share the fate of the unhappy Diaz.

This allusion demands an explanation.<sup>1</sup> On 27 March 1546, at Neuburg, on the Danube, the Spaniard Juan Diaz was murdered in cruel fashion at the instigation of his own brother, Alfonso Diaz, a priest, because in spite of the latter's efforts and threats he stuck to his Protestant faith. As was to be expected this action of a fanatic, which nothing could justify, gave rise to enormous excitement in the Protestant camp, all the more so as certain indications suggested that the instigators of the crime were to be looked for among highly placed persons. When Alfonso was arrested at Innsbruck, a few days after the crime, letters were found on him from Cardinal Pacheco and from the promoter of the Council, Severoli. Cardinal Madruzzo came under suspicion because, in strict accordance with Canon Law, he had insisted on this ecclesiastical criminal being handed over to the ecclesiastical authority. In compliance with an imperial injunction which arrived at Innsbruck on 14 April, the opening of the proceedings was put off until the arrival of the territorial sovereign, King Ferdinand. Diaz himself studiously created the impression that he enjoyed powerful protection and did his best to exploit his connections for his own benefit. All the indications pointed to the fact that the Neuburg

<sup>1</sup> Of the vast amount of literature on the Diaz case only the following are mentioned: F. Roth, "Zur Verhaftung und zu dem Prozess des Doktor Alphonso Diaz", *A.R.G.*, VIII (1910), pp. 413-38; Farnese's letter of recommendation of 26 September, *ibid.*, pp. 439 f.; summary in F. Roth, *Augsburgs Reformationsgeschichte*, VOL. III (Munich 1907), pp. 339 f. The "Narratio Melanchthonis de Diasio", *Corp. Ref.*, VOL. VI, pp. 112-14: Verallo's report of the incident, 3 April, *N.B.* I, VOL. VIII, pp. 598 f.



REGINALD POLE

*After a portrait by an unknown artist in the National Portrait Gallery,  
London*



murder was planned as a warning and that Diaz had only been a tool. The question was, were those who engineered the crime to be looked for at Trent? "In view of such a crime, the Fathers of the Tridentine Council should be driven all together into a barn and set on fire with pitch and sulphur", wrote Hörmann, the Innsbruck correspondent of the Fuggers.

In point of fact there is not the slightest evidence that the murder was instigated by Trent, either by Madruzzo or by any other member of the Council; even Cardinal Farnese's pleading on behalf of the criminal—however ill-judged it may have been—is no proof. That the murderer got off with his life he owed in no small measure to the outbreak of the war against the Protestants.

Protestant propaganda had lost no time in making the most of the incident by means of pamphlets which purported to show what was to be expected from the Catholics. The incident came also most opportunely for Melanchthon's campaign against the Council, though he never went so far as to make the untenable accusation that the authors of the crime were to be looked for at Trent.

Before giving the signal for the war with his declaration on 16 June 1546, that he saw himself compelled to make use of force against rebellious princes, namely the Elector of Saxony and Duke Philip of Hesse, the Emperor brought his diplomatic preparations to a close by finally clinching his alliance with the Pope. Negotiations about conditions had gone on throughout the previous year, but in spite of repeated missions to the imperial court of the secretary of the Spanish embassy in Rome, Marquina, and of the extraordinary nuncio, Dandino, no agreement had been reached. The ordinary nuncio, Verallo, and even more so the imperial confessor, Pedro Soto, had been tireless in pressing the Emperor for his signature—he had put it off until his arrival at Ratisbon. There he at last gave in. Two weeks later the alliance was also signed by the Pope and thus became a reality.

Cardinal Madruzzo acted as an intermediary in the exchange of signatures. In answer to a summons from the Emperor he had left Trent on 12 May. On his arrival at Ratisbon, 21 May, he succeeded, with Soto's aid, in thwarting a plan broached at the last moment by Granvella, by the terms of which it would not have been the rejection of the Council of Trent but the rejection of an imperial reform that would have been the pretext for the warlike action against the Protestants. On 7 June the Emperor put his signature to the agreement in the presence of Verallo. With this document in his possession, as well as



some instructions dated 11 June, in which the Emperor expressed some additional requests, Madruzzo made haste to return to Rome without stopping at Trent, where he had arrived on 14 June. On 22 June the Sacred College gave its assent to the contract, in accordance with the express wish of the Emperor. The opposition of the French party, and above all that of Cardinal Carafa, was unable to alter the result. The Pope signed the document on 26 June. On 4 July, in the course of a solemn function in the church of Aracoeli, the papal nephews Alessandro and Ottavio Farnese received respectively the legate's cross and a commander's baton; they then set out on their northward journey to the localities around Bologna where the papal troops were assembling.<sup>1</sup>

In the last days of June the conciliar legates were informed by Verallo, and soon afterwards by Rome itself, of the headlong course of events: "Things are on the move", was the tenor of Verallo's despatch of 22 June. "The city bristles with weapons", Maffeo exclaimed a little later as he watched the preparations in Rome for the papal expeditionary force. The settlement of the great religious and political differences by force of arms was at hand. War had come. Was it possible, in these circumstances, for the Council to proceed with its task? Had not the time come for removing the assembly far from the theatre of war into the interior of Italy, in accordance with the long-felt wish of many of its members, including the legates and, in his heart of hearts, even the Pope himself?

The prospect of an army, including the Spaniards, who continued to inspire terror by reason of their share in the Sack of Rome, and which would pass through Trent on its way to the north, prompted the legates, in their report of 25 June, to suggest a pause in the negotiations during which the bishops and they themselves would leave the city in

<sup>1</sup> Conclusion of the alliance between Pope and Emperor in June 1546: G. Buschbell, "Die Sendungen des Pedro de Marquina an den Hof Karls V im Sept./Dez. 1545, und Sept. 1546, nebst seinen Instruktionen und seinem Discurso", *Spanische Forschungen der Görres-Gesellschaft*, IV (1933), pp. 311-53. The joint work of Verallo, the confessor Pedro Soto and Cardinal Otto of Augsburg, in favour of the "impresa", *N.B.* I, VOL. VIII, p. 589; VOL. IX, pp. 16, 31, 42, 47 f. The famous memorial of Soto, of whom Verallo says *N.B.* I, VOL. IX, p. 35: "fa miraculi in questo negocio", in favour of war against the Protestants, in Maurenbrecher, *Karl V und die deutschen Protestanten* (Düsseldorf 1865), appendix 29-33; for his personality see O. Lehnhoff, *Die Beichtväter Karls V* (Göttingen, Phil. Diss. 1932), pp. 65 ff.—Madruzzo's departure for the imperial court, *C.T.*, VOL. I, pp. 547, 554; his stay at Ratisbon from 21 May, *N.B.* I, VOL. IX, pp. 47, 50 f., 59, 65 ff.; the instructions of 11 June, *C.T.*, VOL. XI, pp. xxxix-xliii. His arrival in Rome and the negotiations there, after *N.B.* I, VOL. IX, pp. 88 ff.; *C.T.*, VOL. X, pp. 534 f., 898 ff.; VOL. XI, pp. 58 ff. Carafa's opposition to the agreement, VOL. XI, p. 62, l. 21.

order to escape from molestation by the soldiery.<sup>1</sup> Rumours were already afoot of a threat to the Brenner pass by the Protestant Grisons. The legates only betrayed their real aim in a postscript to their report but Cervini did so more openly in a special despatch. The legates' letter was meant to help the Pope to justify in the eyes of the cardinals, and even those of the Emperor, the translation of the Council to Bologna for the duration of the war. Before long they increased their pressure on the Pope by requesting him to release them from their office.

Paul III at once saw through their plan. He refused to believe Cervini was serious when he spoke of his fear of the soldiery; after all, the army was mainly composed of papal soldiers and commanded by papal generals; nor did he believe in a threat to Trent by the Grisons. He was convinced from the first that the legates thought that at last they had discovered a motive for a translation, and he felt equally certain that a translation to Bologna at this moment would tear up the convention with the Emperor even before the ink of the signature was dry. The Pope's answers of 3 and 4 July, in which he stated that there could be no question of a translation of the Council and not even of an interruption of the discussions, must have had the effect of a cold shower upon the legates. "The present moment is utterly inappropriate for any kind of suspension or translation", he wrote; any change in the situation of the Council would jeopardise the whole enterprise against the German Protestants and would give the Emperor just cause to complain that the Pope had not been faithful to the terms of their agreement.

The Pope's plain cool words came as a heavy blow for the legates. They obeyed but broke out into even louder laments over their weariness

<sup>1</sup> Cervini's letters of 26 June, *C.T.*, VOL. x, pp. 540 ff., are more informative about the first plan of a translation than the joint report of the 25th, *ibid.*, pp. 536 f.—On 8 July the legates plainly state that they would take the initiative for such a plan, VOL. x, p. 556. Cardinal Morone regarded Cervini's reasons as "debole scuse", *ibid.*, p. 900, l. 11, and continued to oppose the plan for a translation, VOL. XI, p. 65, n. 2. For the time being the Emperor reckoned rather with plans for a suspension and instructed his ambassadors to cross them, *ibid.*, pp. 59 ff. The Pope's strict prohibition of any change in the status of the Council and Maffeo's explanation on the subject, in VOL. x, p. 548 ff. The latter is important because during Farnese's absence Maffeo's influence was greater than at other times. Bianchetti, Giovanni della Casa's agent, writes on 31 July, (Bibl. Ricci 5, fol. 164<sup>r</sup>): "Il Maffeo governa hora ogni chosa et va ogni di due volte senza che molt' altre è chiamato del Papa, tiene et risponde a tutte le lettere cosi de' stati come de' negotii."—Pole's departure from Trent, *C.T.*, VOL. I, p. 557; the Pope's permission, given on 30 June, only arrived in Trent on 5 July, VOL. x, p. 545, cf. p. 548, n. 4. Pole remained in constant correspondence with the legates and Mendoza called on him on his return from Venice to Trent. The question whether other motives besides considerations of health led to the Cardinal's prolonged absence from Trent will be considered in the next chapter.

of office and reiterated their demand for their recall. "Two-thirds of our strength are spent", they had written as early as 25 June. On 2 July Del Monte wrote that tortured as he was by continual pain, his power of endurance was gradually giving out. On 8 July Cervini reported that the main burden of the work lay on his shoulders; and it was more than he could bear. He never had an hour's peace; in the morning there were the general congregations; when these ended he had to receive the bishops who came to him with their own problems or were invited to his table. All this was quite true. The third legate, Cardinal Pole, had gone on 28 June to take the waters at Treville, near Padua, where a friend of his, Priuli, had a country-house. His doctor had told him that he was running the risk of a stroke. His replacement was not at the moment being considered.

However, the strongest motive for the plan of a translation was not prompted by personal considerations—at least not as far as Cervini was concerned—it arose from a far deeper conviction. The truth was that in his heart of hearts Cervini disapproved of the alliance between Pope and Emperor and of their joint war against the Protestants. It was not only that he thought the military issue was uncertain—his heaviest anxiety was the question what the Emperor would do in the event of his proving victorious. Would he not end by compromising with the Protestants ("qualche impiastro o tolerantia vergognosa") and thereby cheat the Pope of the latter's one and only war aim? In Francophile circles of the Curia, with whom Cervini had close relations, the conviction prevailed that the Emperor's concern was not religion but his authority in the empire. Once this was assured "they (the Protestants) might believe what they liked", but by that time the Papacy would be facing an all-powerful monarch and would be made to feel the truth of the axiom *vince, perde*. To Madruzzo, who had returned from Rome on 4 July and had explained the details of the agreement and the warlike preparations, Cervini was alleged to have observed, in the presence also of Del Monte, "the Pope is not in his right senses; he imagines that he has left the military decision to the Emperor; in reality he has placed the fate of the Church in his hands". At a later date Cervini emphatically denied his ever having made a remark such as this; never would he have spoken so disrespectfully of the Pope, least of all before witnesses. On the other hand, the remark expresses what was actually in his mind. Madruzzo hastened to pass on his impressions to the imperial court, thereby causing the explosion which before long rendered the atmosphere of Trent even more stormy than it was. The

despatch of the papal nephew Farnese to the imperial court likewise caused the legates keen anxiety. What they feared was that under the influence of the court Farnese would prove more open to persuasion with regard to the Emperor's thesis of the postponement of the dogmatic discussions than was agreeable to themselves. Theirs was no mistaken fear.

However, all these considerations appeared out of date<sup>1</sup> when in mid-July the first reports from the theatre of war reached Trent. They were in the highest degree alarming. The continuation of the Council and even the personal safety of its members seemed to be threatened, not indeed by the passage of friendly troops but by the enemy from the north. On 31 July it became known in the city that the Duke of Württemberg with 25,000 men had occupied the defile of Ehrenberg and was pressing on towards Innsbruck so as to cut off the road by which the papal army was to march into Upper Germany. On the following day the imperialists spread a report to the effect that Castelalto, King Ferdinand's commander, was offering a successful resistance at the head of an army of 14,000 men. However, the first report had done its work among the prelates and had started a panic. At the general congregation of 15 July three archbishops declared that they felt incapable of applying themselves to the work of the Council while they were in danger of their lives. The legates were asked: "Must we wait till the roads of escape are cut off?" The most cautious among the prelates were already making sure of a speedy means of escape.

It was easy enough for Madruzzo to poke fun at "these clerical poltroons" ("conigli di prete") who were frightened by their own shadow. Fear of the Protestant mercenaries was a fact, nor was it wholly groundless, for reports of the outrageous treatment of the Franciscans of Füssen by the mercenaries of the confederates of Schmalkalden had reached Trent. Madruzzo did his best to prevent a panic.

<sup>1</sup> Cervini's sceptical remarks about the alliance between Pope and Emperor, and on the prospects of the war against the Protestants in *C.T.*, vol. x, pp. 514, l. 8; 554, l. 14; 556, l. 5. The kernel of the conversation between Cervini, Del Monte and Madruzzo, on which Gianbattista Cervini reports, *ibid.*, pp. 904 f., I regard as historical even if, as the cardinal protested, *ibid.*, p. 637, l. 30, the words to which exception was taken were not uttered, for Cervini was always a declared opponent of the alliance and of the imperial policy. He shared the views of the French party at the Curia which Bianchetti describes thus in a letter to Della Casa, 3 July 1546: "L'Imperatore non mira alla religione, ma all'obediencia d'Allemagna, et credano poi a lor modo, la qual obediencia ritorna in danno et pregiudica a tutti gli altri principi, specialmente questa sede ne resta oppressa et battuta tanto che facciamo al vinci perde", Bibl. Ricci 5, fol. 154<sup>r</sup>.

A boatman of Trent who kept a boat in readiness on the banks of the Adige for the Archbishop of Corfu was bluntly told to go home. On 17 July an imperial message instructed the cardinal to prevent the spontaneous dissolution of the Council by every means in his power. It was no easy task. The farther removed people were from the events the wilder the rumours. At Padua it was said that the Lutherans already stood before Trent, that in fact they had actually captured the city and taken the bishops prisoners. Romolo Cervini asked his brother whether he was not going to seek security at Padua. During these critical days it needed all the authority of the legates to prevent the assembly from scattering in every direction. This authority they were expressly ordered to exert by the imperial envoys.<sup>1</sup>

What had actually happened the legates learnt from the reports dated 11 July of Cardinal Otto of Augsburg and Nuncio Verallo. Hostilities had been opened not by the Emperor but by the better equipped confederates of Schmalkalden. The Emperor had vainly sought to detach the South-German imperial cities from the confederation. By a bold advance Schertlin von Burtenbach, the leader of the South-German troops of the confederation, sought to seize the Alpine passes so as to cut off his temporarily far weaker opponent from his Italian auxiliaries. On 8 July he had occupied Füssen. The imperial army had been compelled to retreat towards Landsberg and the capture of the defile of Ehrenberg brought him to the gates of the Tyrol. In a proclamation addressed to the Tyrolese Estates he summoned them to bar the passes to the Italian and Spanish troops. He protested that this action was not directed against the Emperor but against Trent where "for over a year certain ungodly cardinals, bishops and priests", instigated by the Pope, had been gathered at a sham Council. There can be no doubt that he counted on the assistance of such Tyrolese as sympathised with Lutheranism while his strategic objective was of course the blocking of the Alpine passes.

<sup>1</sup> The critical days at Trent in mid-July 1546 are described by Massarelli, *C.T.*, VOL. I, pp. 558, ff., and by Severoli, *ibid.*, p. 99. Cf. also the letters in VOL. X, pp. 556 f., 559 f., 563 f. Schertlin's proclamation to the Tyrolese, following his letter to the people of Augsburg, 10 July, in Th. Herberger, *Sebastian Schertlin von Burtenbach und seine an die Stadt Augsburg geschriebenen Briefe* (Augsburg 1852), pp. 92-5. Madruzzo's order of 14 July that Johannes Baptista de Jordanis should be assisted in raising 400 men, State Arch. Trent, *Carte Madr.* 1546; his letters of 13 and 14 July, *C.T.*, VOL. X, p. 557, n. 3; the Emperor's recognition of his attitude, VOL. XI, pp. 62 f. The Emperor formally directed the cardinal to "assegurar y entretener los prelados . . . para que no se partan, en lo qual conviene que tengais mucho la mano, para en ninguna manera aya novedad ny mudanza", State Arch. Trent, *Carte Madr.* 1546.

In his twofold capacity as Bishop of Trent and Brixen and as territorial overlord, Cardinal Madruzzo ordered the immediate manning of the frontier fortresses while he made haste to levy troops. With a view to replenishing his empty coffers he conceived the idea of asking the Pope, with the help of the legates, for the sum of 10,000 scudi, by way of compensation for his expenditure in connection with the Council. His request was flatly rejected. The legate Ranuccio Farnese was proceeding northward in a leisurely manner. Him Madruzzo implored to get the papal troops to march day and night so that they might reach the scene of war in time.

During these critical days Alessandro Farnese had remained at Bologna. On 17 July, from Castel San Giovanni, he despatched his familiar Girolamo da Corregio to Ratisbon for the purpose of notifying the Emperor of his own arrival in the near future and of exhorting the Tridentine legates not to suffer the bishops' pusillanimity to induce them to dissolve the Council.<sup>1</sup> That the Pope was by no means as averse to the idea of a translation as his directives of 4 July to the legates might lead one to imagine, appears from the instructions to his nephew on 24 July. They were to the effect that the Emperor's demand for a temporary postponement of the debate on justification must be resisted, but if he insisted, a translation, which in that case would be inevitable, was preferable to a suspension. The idea of a translation evidently occupied the Pope's mind. On the other hand he did not want a *fait accompli*—such as the legates wished to bring about; on the contrary, the translation was to be the result of negotiations. Armed with these directives Farnese set out for Trent. On 20 July he reached Revere, on the River Po, but when he arrived at Rovereto he was seized by a fever of such violence that fears were entertained for his life. The terrified legates hastened to his bedside on 25 July. The best physicians of the land, Fracastoro and Fregimeliga, were called in. On the twenty-seventh the crisis was over and the danger to life had vanished.

Meanwhile, on 26 July, the papal army under the nominal command of the lay nephew, Ottavio Farnese, who had at his side as the effective military leaders those experienced captains Alessandro Vitello for the infantry and Gianbattista Savelli for the cavalry, had marched through Trent or rather had bypassed it without the Council having been subjected to the slightest molestation. In the meadows of Matarello,

<sup>1</sup> Farnese's illness at Rovereto and the march of the papal army through Trent, *C.T.*, VOL. I, p. 563; VOL. II, p. 387; VOL. X, pp. 567 f., 574 f.; Santa Fiora's instructions of 21 July, *N.B.I.*, VOL. IX, pp. 135 f.

two miles from Trent, the army consisting of 12,000 foot and 800 horse, divided into 59 troops, had been entertained at Madruzzo's expense with bread, wine, roast meat and cheese. Almost all the prelates of the Council attended a banquet given by him to the papal officers. In the afternoon the troops marched past the city walls with flying colours in the direction of Lavisio. They presented a magnificent spectacle. It was fortunate that no one could foresee the future for only a pitifully small number of these men were destined to see their homes again. A large part of the army perished as the result of a bad commissariat, hunger and cold.

In consequence of so much excitement—the outbreak of war, the passage of the papal army, Farnese's illness—work on the decree of justification had suffered a set-back. The draft, which had been circulated on 23 and 24 July, had not yet been debated in a general congregation. However, even if a speedy agreement had been arrived at, the ruling that dogma and reform must be discussed simultaneously would have made it impossible to keep to the date fixed for the next Session, 29 July. The reform decree on the obligation of episcopal residence had not yet been debated, in fact it had not even been drafted. Some of the bishops had indeed handed in lists of impediments—*impedimenta residentiae*—but the military preparations in Rome had delayed an expression of opinion on the subject by the commission of cardinals. It was only on 25 July that the legates came into possession of a document for which they had been praying for such a long time. It consisted of "answers" which were in part the Pope's own work and in part that of the cardinals. A postponement of the Session became necessary; in fact on 27 July, with Farnese's approval, the legates decided to allow the date to lapse without fixing another time-limit. Their purpose in doing so was to ensure complete freedom of action both for the Pope and for themselves. Cervini himself remained by Farnese's sick-bed at Rovereto, convinced as he was that the Council would readily consent to a postponement. But he was mistaken. At the general congregation of 28 July his colleague Del Monte, now deprived of the restraining influence of the cautious Cervini, became involved in a dispute which was destined to be fraught with weighty consequences.<sup>1</sup>

<sup>1</sup> Severoli is by far the best source for the course of the stormy general congregations of 28 and 30 July, *C.T.*, VOL. I, pp. 95-101. In the protocol of 28 July, VOL. V, pp. 394-7, for instance, the verbal exchange between the Archbishop of Matera and Pacheco on the Emperor's attitude is passed over in silence, but in the protocol of 30 July, *ibid.*, pp. 398-401, there are details that are missing in Severoli. In the latter's

Del Monte let it be known that in spite of all that had happened the Session would take place. The decree on justification, he explained, had been subjected to a most meticulous examination and its contents agreed with the memorials from Rome to such an extent that the Council could feel convinced they had found the truth. He accordingly proposed that there should be a general congregation early on the following morning at which the decree would be approved. This would be followed at once by the solemn Session, though with a shortened ceremonial. The sermon would be dispensed with and there would be only a Low Mass. This proposal, couched though it was in the form of a request (*vehementer cupio*), met with a bad reception by the imperialists, as was to be expected. The debate on justification, Pacheco objected, could not be regarded as concluded so long as the list of errors had not been discussed. On the other hand the Bishops of Badajoz and Astorga, together with other Spaniards, appealed to the agreed principle of the parallel debate—there could be no decree on justification without a decree on residence! Del Monte's defence was that there was no intention to cheat the Council of a debate on residence. The imperialists' opposition to his proposal, fully justified as it was in itself and expected by Del Monte, provided him with a way out which he now proceeded to explain. It was that there should be no fixed date

count of the votes—29:25—the votes of the presidents are not included as they were by Massarelli who accordingly has 29:27. On 30 July Pratanus obviously mistakes *certitudo termini* for the Session for *certitudo fidei se esse in gratia*, VOL. II, p. 387, l. 16, but adds some details of his own, as for instance when he tells us that the prelate who kept a boatman waiting for him—whom Madruzzo ordered away—was the Bishop of Corfu. The somewhat subdued report of Del Monte to his colleague at Rovereto on the general congregation of 28 July, VOL. X, pp. 575 f. Mendoza disapproved of Madruzzo's bluster ("le bravate non furono fatte per ordine ne saputa sua", viz. the Emperor's, VOL. X, p. 634, l. 38). Madruzzo's letter of excuses to Farnese, written in his own hand and in shocking Italian, *ibid.*, p. 581. Cervini quickly drew his own conclusions, *ibid.*, pp. 584 f., 587 ff., and so did above all the Anonymous, *ibid.*, pp. 582 f., and Grechetto, pp. 585 f. The reaction outside to the incidents inside the Council appears in Lippomani's report when he says that on 28 July, when only two miles from Trent, he had gone in another direction when he heard that "se pellavano la barba (Sanfelice v. Grechetto) in concilio et che non si faceva altro che gridare insieme et contendere sopra mille frascherie", VOL. X, p. 649, n. 7. On account of their painful nature reports from Trent were at first kept secret in Rome, but rumours were all the wilder in consequence, thus it was said "che Monte disse al Pazzo 'marano' et a Trento 'ubriaco' et che dettero a lui de 'pazzo' et 'sodomitto' per la testa, et tutta Roma n'è così piena come se l'havessero udito di lor bocca", Bianchetti to Della Casa, 14 August 1546, Bibl. Ricci 5, fols. 165<sup>v</sup>-168<sup>r</sup>, or. Bianchetti, who was well informed, suspected that Del Monte would be replaced by Sfondrato who at this time stood in the highest esteem with Paul III; opinion of the former was extremely unfavourable: "dicono che staria meglio in campo che in concilio, et che'l card. Farnese è parso un Salomone et un Vecchio in comparatione di quei cervelli gagliardi."



for the Session, that in fact it should be adjourned indefinitely. The reasons for such a decision were transparent: it could be foreseen that too short a time-limit would force a further postponement while an unduly prolonged adjournment would result in the departure of a number of prelates. It was natural to ask: was there not every reason to fear a similar result from an adjournment *sine die*? Was there no means to prevent the threatening spontaneous dissolution of the Council?

The suggestion which all of a sudden gave the debate another direction was made to the gathering by the Archbishops of Corfu and Matera. The obvious way out of the complex and dangerous situation, they declared, was the translation of the Council to a locality that would be out of range of warlike events. Even the Emperor, the Archbishop of Matera thought, would end by dropping his objections to such a move. Pacheco interrupted him excitedly: "What do you know of the Emperor's intentions?" he asked. He was convinced that a translation would cross the Emperor's plans even more drastically than the adjournment of the Session for an indefinite period. The mere discussion of a translation was dangerous and must be prevented by all possible means. However, Del Monte refused to make use of his rights as president: he could not, and would not prevent anyone from airing his views. There followed a sharp conflict between the two cardinals and the spokesmen of the two parties, the curial and the imperial. One of the advocates of a translation, the Bishop of Pesaro, drew a lurid picture of the conciliar acts passed in war-threatened Trent, while on the other hand the Spaniards laughed at the Italians' fear of the enemy: "they feared where there was no fear", they said (Ps. XIII, 5). One of them, however, the Bishop of Calahorra, probably realised that their opposition to the legate's first proposal had led them into a trap; he accordingly declared his approval of the publication of the decree on justification by itself. Those who kept closest to the matter in hand, namely the fixing of a date for the Session, were the three generals of Orders. If the decree on justification alone was to be published, a firm date, and an early one, should be fixed; but if some other decrees were also to be promulgated at the same time a postponement without a time-limit would be preferable. A considerable number of bishops pronounced in favour of the latter proposal, which was also the legates' alternative. The dates suggested by the other side oscillated between one week and six months. It was difficult to ascertain which of the various possibilities commanded the support of the majority. Del

Monte announced that the votes would be counted; he would then discuss the matter with his colleague and get a decision in the next general congregation. But this postponement of a decision was in itself a decision. The time-limit of the Session lapsed without a fresh date having been determined. In view of existing circumstances an adjournment could easily prove the beginning of the end.

Pacheco now thought that the moment had come for a political intervention. "If the Council allows the time-limit of the Session to lapse", he declared, "and dissolves itself, it will act in direct opposition to the will of the Emperor, who insists on the discussion being continued at Trent." This statement constituted in actual fact, if not in its form, a threat that could not be misunderstood. However, Del Monte would not be intimidated. "The real cause of the threatened, nay, the incipient dissolution of the Council", he said, "was not a longer or a shorter adjournment of the Session but the fear of war." In the end no final decision about the date of the Session was reached and the prelates separated in a state of extreme tension. In his own mind Del Monte may have hoped that his policy of procrastination would prove successful, but he underestimated the vigilance and the pugnacity of his opponent Pacheco.

When the votes were counted it was seen that a majority, though a small one (29 against 25), were in favour of a firm date for the Session. Del Monte thought he could reverse the decision, or at least ignore it, by adding the two votes of the presidents to those of the minority, and accordingly, in the general congregation of 30 July, after publishing the deputation's draft on justification, he abruptly closed the meeting. Pacheco protested vehemently against such an action, and when the legate went the length of quoting the axiom that "votes must be weighed, not counted", the Spanish cardinal, raising his voice, asked: "Is then my vote not as good as that of the rest?" Madruzzo also moved to his assistance and with a somewhat superior air requested the president to treat the Council with greater courtesy and Christian feeling, otherwise he would feel compelled to say things which he might regret later on. Upon this Del Monte's anger flared up: "I am not aware", he said, "of having behaved in an unchristian fashion. Am I, the president, to be lectured like a schoolboy? Change your tone and I will change mine. It is not freedom of speech that is at stake; the question is whether or not we are to yield to veiled threats. Violence may be done to me, but no one will frighten me. Up till now we, the legates, have treated you two cardinals like fellow-presidents; we have allowed you

to take your places beside us and have granted you privileges which we were not bound to extend to you. Now you want to lord it over us and over the Council."

All the irritation that had accumulated in the legate's soul in the course of the last few weeks vented itself in these sentences. At this moment he saw Pacheco and Madruzzo as the embodiment of the imperial power which detained him and the Council in the city of Trent and circumscribed the assembly's freedom of action. Madruzzo vehemently denied that he had curtailed the freedom of the prelates during the recent period of crisis, but he was entitled to claim the right of free speech, including that of making representations to the president. Pacheco, however, now thoroughly roused, flung the accusation in the face of the legate: "You treat us as if we were your lackeys." The altercation between the three cardinals was rising to such a pitch of violence that some of the bishops intervened. Throwing himself on his knees, with hands raised in supplication and with tears in his eyes, the Archbishop of Palermo besought them to put an end to this dreadful scene. Thereupon business was resumed.

Massarelli read out the votes on the time-limit of the Session. Pacheco repeated his demand for a date to be fixed in accordance with the result of the voting, but on the strength of old and new arguments Del Monte refused once more. One of his arguments was that the majority in favour of a fixed date was not a genuine majority because a number of votes had conditions attached to them so that they could not be regarded as clear, affirmative votes. Moreover, his colleague Cervini was absent and it was jointly with him that, in virtue of powers granted by the Pope, he had the authority to guide the course of the Council. He obstinately refused to make any concession.

For all that, at the conclusion of the congregation, Pacheco and Madruzzo found it in their hearts to ask his forgiveness should they have offended him. This Del Monte granted, but in the case of Madruzzo he contented himself with a slight nod of the head. This treatment, which he regarded as contemptuous, so angered Madruzzo that he let fall the remark: "You may take my words in whatever sense you like, it is all the same to me: I am a nobleman!" Del Monte, mortally offended by this reference to his own lowly origin, replied; "Yes, I am not a nobleman. But I shall go to a place where no one will be able to play off his aristocratic origin against me!" The words were a threat of the translation, a declaration of war against the imperial party.

Madruzzo was not long in realising that he had not only done wrong by offending the Pope's representative in full congregation, but that he had also committed a political blunder, inasmuch as his conduct was calculated to bring about the very thing he wished to prevent. Ultimately Pacheco's intervention was only a public statement of what everybody knew; his standpoint, that the Council, not the presidents alone, had to fix the date of the Session, was in accordance with the practice hitherto observed. Del Monte's cunning tactics, which it was easy to see through, his abrupt, authoritative tone, the threat of a translation uttered in a moment of excitement, were of course equally mistaken. Seripando does not get beneath the surface when he describes the dispute as "a childish and silly quarrel". It was on the contrary, a head-on collision between two conceptions of the Council—the Emperor's and the Pope's. The Emperor regarded the Council as an essential part of his great plan, a subordinate one perhaps, but at least an integral one, and for this reason he insisted on the discussions continuing at Trent, though in so general a fashion as to preclude any dogmatic definitions. For the Pope, the Council was first and foremost an authoritative, doctrinal reply to Protestantism, and second, an instrument of Church reform, an autonomous concern of the Church and a link in the venerable chain of her oecumenical Councils. The legates protested on their own account with the utmost energy against the long-distance direction of the Council from the imperial court, for they had been roused by the conduct of the imperial cardinals and, as a consequence, they did all they could to bring about a translation. After what had happened in the general congregations of 28 and 30 July, they were firmly convinced that the Council could not be allowed to remain at Trent. The latest events had greatly improved the prospect of their bringing the Pope round to their point of view.<sup>1</sup>

<sup>1</sup> The legates' second proposal for a translation and the missions of Montemerlo, Bertano and Grassi, and Santa Fiora's letters to Farnese dated 21 and 23 July, in *C.T.*, VOL. X, pp. 570, *n.* 5; 572 f.; the legates' instructions for Montemerlo, 26 July, *ibid.*, pp. 573 f.; the legates' report of 26/27 July was sent after him by express courier.—The instructions for Bertano for his mission to the imperial court, *N.B.1*, VOL. IX, pp. 589; *C.T.*, VOL. X, pp. 603 f., give as one reason for a translation the increased expenditure incurred by the Pope in maintaining the Council at Trent. From Cervini's letter of 3/4 August, VOL. X, pp. 587 ff., which was never despatched, it appears that the cardinal had some misgivings about so inconsiderate an exploitation of Madruzzo's error of judgment. Bertano's conversation with Cervini before his departure for Rome is based on Vida's letter to Gonzaga of 13 August, State Arch. Mantua 1915, or. While on the way Bertano called on his patron at Mantua. The latter, on his part, informed the Duke of Ferrara, on 15 August, of the plan for a translation and connected his own "combinazioni" with it, cf. *Il Concilio di Trento*,

Already on the occasion of their first visit to the ailing Farnese at Rovereto, on 25 July, the legates had become acquainted with the above-mentioned papal instructions of the 21st which, under the influence of the alarming reports of the incipient dissolution of the Council, considered a translation to Ferrara or Lucca as a way out of the impasse—though only as a subject of future negotiations with the Emperor. Farnese was told to study the problem once more in concert with the legates. The Pope thought it might be possible to convince the Emperor that even for him the translation would be a lesser evil than the dissolution of the assembly. The three cardinals had agreed to send the bearer of the instructions, Montemerlo, back to Rome immediately (26 July). He was to lay the following considerations before the Pope: there was a risk of the Council being drawn out indefinitely by the imperialists; at Trent it was neither free nor secure; the hour had come when either the Council must be made to decide upon the suspension of the discussions, perhaps up to the feast of All Saints, or else its translation must be ordered in virtue of papal authority, and without consulting the assembly.

The "storm" of 30 July so strengthened their resolution that without awaiting the issue of Montemerlo's mission, and with Farnese's approval, the legates took two further steps in the same direction.

VOL. I (1942-3), pp. 256 f. Bertano's reports from Rome, *C.T.*, VOL. X, pp. 621 f., 627, n. 5. The calumny that he had been bribed by the imperial party came even to the ears of the Pope, *ibid.*, p. 904, l. 26. Thus Gualteruzzi asserted that Bertano had received 2000 scudi from the Emperor, 500 from Madruzzo, Bibl. Ricci 4, fol. 203<sup>r</sup>. The mission on which he was engaged was fraught with great risk for his person because he had to undertake the defence of Madruzzo. In spite of De Grassi's remark, *C.T.*, VOL. X, p. 633, l. 18, his prestige in Rome suffered no diminution, so that on 21 August Bianchetti could write to Della Casa, Bibl. Ricci 5, fol. 170<sup>o</sup>, or: "Ha in questo concilio acquistato assai et dico tanto ch'egli e il primo nominato fra gli eletti" (viz. for the cardinalate).—Grassi was given no instructions, only credentials. The Emperor's threats against Cervini, which are reproduced in the letters from Trent, VOL. X, pp. 592 f., 595 f., on the basis of Cattaneo's oral information, are confirmed by Verallo, *N.B.I.*, VOL. IX, p. 163, and by the instructions for the Roman ambassador Juan de Vega, *C.T.*, VOL. XI, pp. 64 f. According to Gianbattista Cervini, VOL. X, p. 903, l. 3, they had been softened down by Granvella, Pacheco and Madruzzo. Characteristic for the state of alarm at Trent is Giacomelli's letter of 8 August, *ibid.*, pp. 596 f. How little the legates, and Cervini in particular, were in agreement with the postponement of the translation which Mendoza had obtained from Farnese appears from a comparison of their letter of 9 August with Farnese's two letters of the same date, the second of which (omitted in *N.B.I.*, VOL. IX, pp. 179 ff.) must be regarded as a strictly personal piece of information for the Pope, *C.T.*, VOL. X, pp. 597-601. Grassi reached Rome on 12 August. His report, *ibid.*, pp. 616 f., is of particular interest because it emphasises the close connection of the cardinals' deputation with the Council. The tenor of the final report of 29 August is "there is nothing to be done", *ibid.*, p. 633. Bianchetti also reports on 14 August to Della Casa on the deliberations in Rome in mid-August, Bibl. Ricci 5, fols. 167<sup>r</sup>-168<sup>r</sup>, or.

Formally commissioned by Madruzzo, but with the agreement of the legates as well as of Farnese, the Bishop of Fano set out for the imperial court on 3 August. His mission was to win over the Emperor for the translation of the Council to Ferrara, Lucca or Siena. Pietro Bertano, whom we have long ago come to know as a close collaborator of the legates, was reputed to incline towards the Emperor's views and he was likewise in close contact with Madruzzo. Through his skill as a mediator the latter hoped to recover his badly shaken prestige with both parties, though for different reasons, while the legates saw in the Bishop of Fano's undertaking at least a possibility of getting nearer to their goal. On 4 August they themselves despatched the auditor Achille de'Grassi to Rome with a whole bundle of documents which could be summed up in one sentence: "The Council must be transferred at once." On the basis of the recent, grave incidents at the Council, and banking on the papal nephew's authority, they thought they were within reach of their goal.

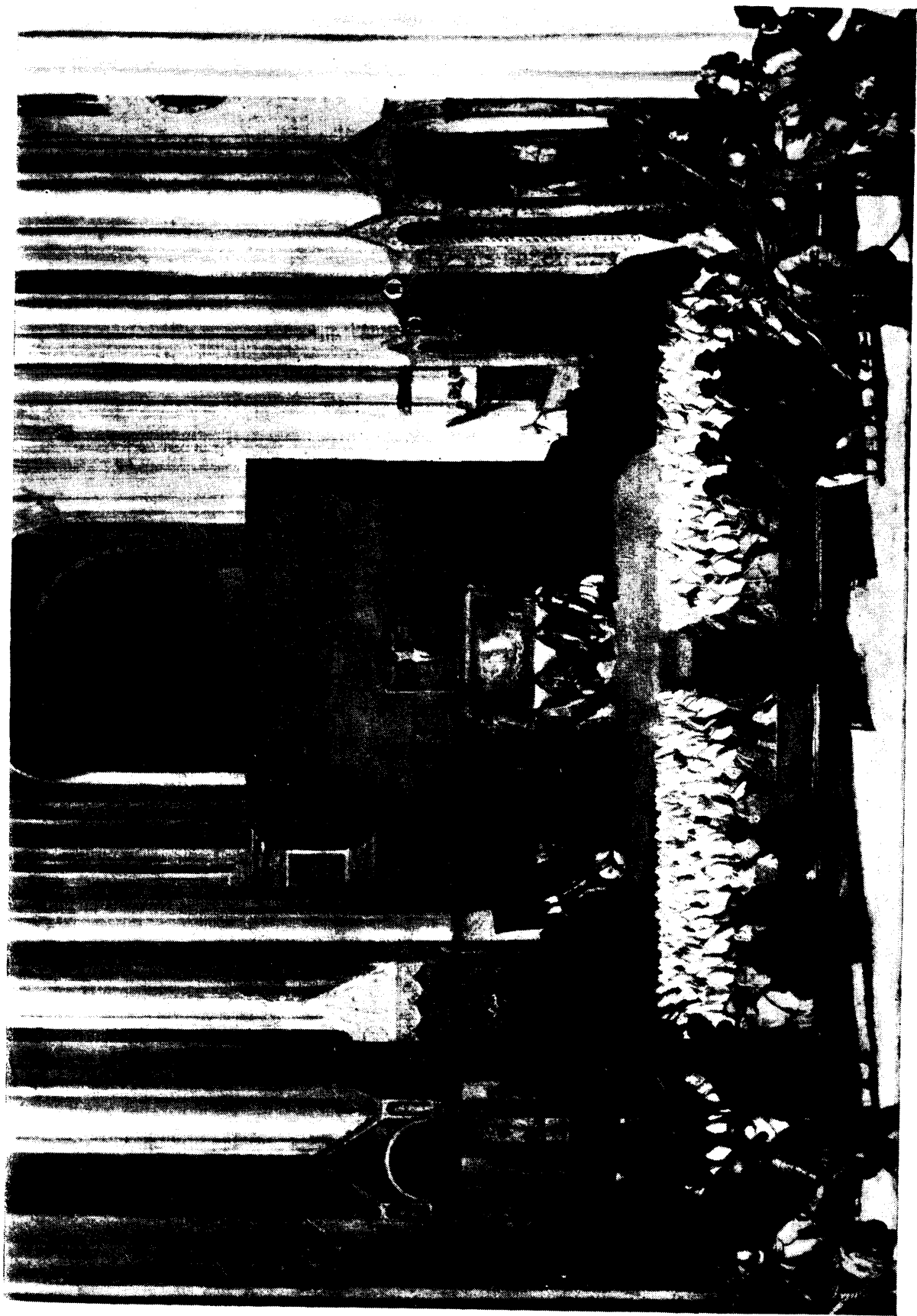
The Bishop of Fano only got as far as Brixen. There he fell in with Aurelio Cattaneo, Madruzzo's secretary, who was on his way back from the imperial court. The latter convinced the bishop of the utter uselessness of his mission. He told him that the Emperor insisted on the Council remaining at Trent; that he was incensed against the legates whom he held responsible for the plans for suspension and translation and that he had threatened to revenge himself against Cervini whom he regarded as the chief culprit. Under the influence of this information the bishop retraced his steps at once and by the evening of 4 August he was back at Trent. Cattaneo personally informed Cervini of the Emperor's threats. Cervini's answer was worthy of him: "If I have done wrong", he said, "the Pope can call me to account; as for the Emperor, he has no authority over me. He may indeed exert his power against me, a poor priest: I am ready. More than life he cannot take from me; but he will have to give an account before the eternal judge. As long as there is life in me I shall do my duty." Such an answer was more than "the word of a fearless philosopher", as Vida described it, it breathes the spirit of imperturbable Christian fortitude. On the other hand there was no longer any question now but that a translation meant a rupture with the Emperor. It did not make sense, therefore, to let Grassi report and negotiate in Rome on the old basis. A messenger was accordingly sent after him to recall him to Trent, but on 6 August he was once more despatched to Rome with fresh instructions. In a letter in his own hand Cervini informed the Pope of the Emperor's

threats against his person. The information was accompanied by a request for his recall. For him Trent had become more insupportable than ever, all the more so as he was convinced that none other than Madruzzo was behind the Emperor's threats: "If you put up with these intolerable acts of violence on the Emperor's part", he wrote to Maffeo, "the Pope will lose his last adherents at Trent, in which case the game is lost." To the adherents of the Curia at Trent the situation appeared catastrophic: "The axe is laid to the root," Giacomelli wrote, "the Pope is being betrayed even by those who have adhered to him up to the present, as for instance by the Archbishops of Armagh and Upsala; the opponents' front is for ever extending and the upshot of it all will be that they will claim supremacy over the Pope and reform the Church from Trent."

On 7 August the auditor Grassi was followed by the Bishop of Fano, once more at Madruzzo's behest but with the agreement of Farnese and Del Monte, though not that of Cervini. He was instructed to do his utmost to attenuate the exceedingly bad impression which was bound to be created by Madruzzo's conduct in the general congregation, but still more by his intrigues at the imperial court. His task as a mediator was an unenviable one.

How greatly dependent are political decisions on the speed at which news can travel! When the legates despatched Grassi to Rome on 6 August they were unaware that in the meantime the Pope had fallen in with their plan for a translation. In the last days of July, as a result of Montemerlo's report, Paul III had become convinced that the translation of the Council was unavoidable. However, tied as he was by his pact with the Emperor, he was unwilling to order it himself and wished it to be a conciliar decision. A Bull dated 1 August empowered the legates to act in this sense (*de eiusdem concilii, vel majoris partis, consensu concilium . . . transferre*). For a locality the Pope had in mind the city-republic of Lucca, not Ferrara or Siena, and least of all Bologna. He still reckoned with the possibility of winning over the Emperor to the translation-plan. Nuncio Verallo was instructed to inform the monarch of the decision and to discuss the plan with him, but on no account to ask his "permission". The legates were informed of the Pope's wish that the decree on justification and, if possible, that on residence, should be completed before the translation, but they were to be free, should the need arise, to disregard this desire.<sup>1</sup>

<sup>1</sup> The Pope's attitude to the plans for a translation from the end of July to mid-August: decision of a translation to Lucca, *C.T.*, VOL. x, pp. 589 ff.; authorisation of



(Archives Photographiques, Paris)

THE COUNCIL OF TRENT IN SESSION  
*After a painting attributed to Titian in the Louvre, Paris*





The legates had good reason to exult over this papal decision. At the very least it made it clear that the plan for a translation was not a plot engineered by themselves behind the Pope's back. For the imperialists it was a heavy blow. The text came into the legates' hands on the evening of 6 August. On the following day, the unsuspecting Bishop Bertano went to take his leave of Cervini. When he expressed a hope of securing in Rome a postponement of the translation until the month of September and of personally bringing back to Trent the Bull ordering the translation, Cervini drily remarked: "It is here already"!

At Farnese's suggestion it was shown to the imperial cardinals. Pacheco remained calm and composed, but Madruzzo flared up and said in a threatening tone: "If the Council is transferred, we shall have two Councils instead of one, and in addition to this the Emperor will ally himself with the Protestants." Mendoza, the ambassador, took the news more sensibly than the rest for he clearly perceived that fresh threats would only make the translation more certain or would at least hasten it: to gain time was almost equivalent with ultimate success. On the way back from Venice where he had gone for the purpose of warning the Signoria against taking any steps in support of Schmalkalden, Mendoza had assured the legate Pole at Treville that he was not absolutely opposed to a translation and now also he spoke in that sense, except that he thought it should be delayed until the feast of All Saints. Moreover, since it was clear that the papal directives had been rendered obsolete by the latest events, Farnese agreed with the ambassador to keep back, for the time being, the despatch intended for the nuncio and to report to the Pope on the subject.

The postponement of a decision was a complete success for Mendoza. The legates felt that in the present instance postponement was as good

the translation, VOL. v, p. 402, *n.* 2. For the unfavourable attitude of the Duke of Ferrara, cf. A. Casadei, "Proposte e trattative per l'apertura e per il trasferimento del Concilio a Ferrara", *Il Concilio di Trento*, VOL. I (1942-3), pp. 258 ff., for which the archives, especially those of Modena, have been drawn upon. Postponement of the translation according to the instructions for Verallo of 16 August, *C.T.*, VOL. x, pp. 609 ff., and for the legates, pp. 611-14. The latter deny that the directive given on 4 August "si habbia a ritrattare"; the directive sent by courier on 17 August maintains this fiction ("persiste nella opinione affermativa"), but merely for the consolation of the legates. Already on 28 July Morone had foretold that the Pope would neither recall the legates nor translate the Council, VOL. x, p. 901, l. 27. Obviously relieved by the postponement Cardinal Mendoza wrote on 15 August, VOL. XI, pp. 67 f., that the Pope would "en ninguna manera" change the locality of the Council "sin consentimiento de V.M.<sup>dad</sup>". Most instructive as to the motives that animated the advocates of a translation is Maffeo's "Disputa" in his letter of 17 August to Antonio Elio, Farnese's secretary, VOL. x, p. 615, *n.* 2; the Pope's remark to Juan de Vega, according to Bianchetti's letter to Della Casa, 4 September, Bibl. Ricci 5, fol. 175<sup>r</sup>, or.

as abandonment—the chance of a translation had been irrevocably missed. They retained lively memories of the exchange of questions and answers, lasting nine months, between the Curia and the imperial court on the subject of the opening of the Council. For fear of further provoking the Emperor they cancelled, at the last moment, a general congregation fixed for 11 August, on the plea of a heavy downpour of rain. They nevertheless held firmly to their intention with regard to a translation, in fact they were already thinking of the new locality. In their opinion Siena or Ferrara were preferable to Lucca which was favoured by the Pope. Ferrara in particular commended itself to them not only on account of its favourable situation, but because its ruling dynasty was acceptable to the French: they did not know that Duke Ercole II was unwilling to co-operate. In a letter to his confidant Maffeo, Cervini conveyed yet another warning against a policy of obstruction in this matter of the translation, and having done so he on his part fired his biggest gun: "The Council", he asserted, "is not free while it is at Trent, hence its decrees are invalid! Once the war is over it can be brought back to Trent at any time."

All the legates' counter-efforts were in vain. After Grassi's arrival in Rome on 12 August the Pope discussed the situation for several days with the commission of cardinals for the affairs of the Council. The latest news threw him into a state of the greatest excitement. Fear of Charles V's "monarchy", and suspicion of his ultimate designs rose once more in his mind. "You have not yet secured victory", he said in those days to the imperial ambassador Juan de Vega, "yet it is impossible to get on with you; what will it be like when you are victorious?" The two envoys of that scapegoat, Madruzzo, were made to feel his annoyance: to Cattaneo he spoke so roughly that the latter could only mumble an excuse and on Bishop Bertano he turned his back. Nevertheless his decision was not determined by emotion, annoyance or suspicion but solely by political reasons. He did not drop the plan for a translation but declared his readiness to keep it in suspense for a period of six weeks or two months, in order to give his nephew time to reach the imperial court and to await the turn in the war-situation which was thought to be imminent. Instructions dated 16 and 17 August left the initiative for the translation to the legates, subject to the assent of the Council. His chief motive is plain enough: an immediate translation ordered by himself would have been a defiance of the Emperor and a deviation from the path of a loyal ally. He was convinced that a translation was less likely to endanger the life of the Council than a

suspension which could not but recall the many suspensions of the Council of Mantua and the first Tridentine convocation and would breathe new life into the doubts about the Curia's wish for such an assembly. He cherished the hope that his nephew's personal influence would wring from the Emperor if not his consent to the translation, at least his temporary toleration of it. With complete loyalty he informed the monarch, through his nuncio, that he had authorised the legates to make arrangements for a translation to Lucca which, as a free city, could not be suspect in any way and which, on account of its situation close to the sea, was easy to reach from France, Spain and Portugal. The legates' disappointment he sought to soothe by assuring them that in principle he held to the plan of a translation and accordingly instructed them to make sure of the Council's assent to its eventual removal. As for Siena, which they had suggested, that city could not be considered on account of internal disturbances. Ferrara, which they had also proposed, was a fief of the Church and as such would be suspect to the Protestants as well as to the Emperor by reason of its dynasty (the Duchess Renata was sister to Francis I). In case the legates should have failed to grasp the full meaning of the papal decision, a covering note of Maffeo's removed the last uncertainty. It told them in plain terms to remain at Trent and to go on with the work of the Council while at the same time making preparations for a translation.

In the opinion of the legates this was to ask them to square the circle. If they laid the subject of translation before the Council they exposed themselves to the sharpest attacks from the imperialists (*"saremmo lacerati et reputati mali ministri"*); and if they put off a decision it would be almost impossible to detain the prelates at Trent for more than another ten days. The bishops of the Curia impatiently demanded either a translation or a suspension. The longer a decision was delayed the greater the number of those who escaped from the city. Those who were already at Venice asked the nuncio who had been instructed to compel them to return, whether he was in a position to tell them the date of the next Session. This he was unable to do. There can be no question but that this frame of mind of the bishops of the Curia suited the legates: the incipient spontaneous dissolution had been their strongest argument in favour of a translation. Both legates longed for a change of locality, for personal as well as material reasons. Their repeated requests for their recall had not been mere gestures. The state of their health was unsatisfactory; they ascribed it to the climate of the conciliar city. Cervini, completely exhausted by his

long-sustained exertions and by recent excitements, wrote on 2 September: "In these nineteen months I have got ten years older." Both men were dismayed by the prospect of a prolongation of their stay at Trent—Del Monte on account of his quarrel with Madruzzo, Cervini because of the Emperor's threats. They saw the basis of their policy for the conduct of the Council which they had found it so difficult to get accepted in Rome, namely the parallel discussion of dogma and reform, put in jeopardy by the imperial demand for the postponement of dogmatic definitions. In some other locality, in the interior of Italy, they hoped to recover that freedom of movement which at Trent had been circumscribed by the interference of the Emperor. Charles V was right, on the whole, when he thought that it was the legates, above all the Francophile Cervini, who had been pressing for a translation.

On the other hand the concrete charges which the monarch brought against them were in part groundless and in part exaggerated. In the apologia which they sent to Nuncio Verallo on 14 August, they pointed out that they had not provoked, still less furthered the spontaneous dissolution of the Council; that process was, on the contrary, a direct consequence of the Emperor's policy in regard to the Council and of the reports from the theatre of war. During the critical days in mid-July and after the congregation of 30 July, they had done everything in their power to prevent a panic. From their point of view it would have been highly imprudent to allow those prelates who sided with them, and with whose help the translation would have to be decided, to leave the Council, since their departure would have left them alone with their opponents. They failed to see, or were unwilling to see, that a translation ordered by the Pope, or decided by the Council, regardless of the Emperor's views, was bound to tear up the great plan and bring about a rupture between Pope and Emperor. The narrowness of their political, and even of their ecclesiastical outlook is shown by their question: "Why so much consideration for Germany?" They forgot that it was the religious revolution in Germany that had occasioned the Council and that its object was to limit that revolution, and if religious unity could not be restored, to save at least what remained of the Catholic position. This aim was not in the least affected by the circumstance that up to this time not a single German diocesan bishop had put in an appearance at Trent and that, at the moment, the attendance of the Protestants was not to be thought of. "In the event of the Emperor's victory", the legates said, "the Protestants will come even to Lucca." One shudders as one follows up this train of thought;

it witnesses to a complete misconception of the political and ecclesiastical situation within the empire.

For the Emperor the plan for the translation of the Council meant the jeopardising of the greatest undertaking of his whole life. When discussing it with Farnese on 29 August, he earnestly represented to the legate that the success of the great plan was linked with the name of the Council of Trent. If the Council was translated he (the Emperor) would forfeit the confidence ("il credito") of Catholics and Protestants alike, in which case a military victory would be worthless. In his opinion the two war aims, namely the restoration of the unity of the Empire and the suppression of the power of the Protestants, were closely connected and equally justified. Their complement was not any kind of Council but the Council of Trent, on the holding of which he had made up his mind. It was the pursuit of this goal that was the cause of the tragic divergence between the two rulers.

For the Pope knew only one aim—victory over the Protestants and restoration of the old religion. The restoration of the unity of the Empire and the imperial authority appeared to him both suspect and dangerous. The thought of a Habsburg world-power weighed on him like a nightmare. A completely victorious Emperor would force his will even upon the Pope and use the Council as a kind of thumb-screw, particularly if it were held within his own dominions. In no circumstances must such a situation be permitted to arise. Paul III, too, thought of removing the Council from the Emperor's sphere of influence and of transferring it to Italy, though not at this moment, or as long as the war was undecided, or at the price of a rupture with the monarch. The divergence which Charles V imagined to exist between the Pope and his legates was merely about a question of timing, not of aim. The Pope had no intention of dropping his legates in order to meet the Emperor's wishes. He continued to trust them and turned a deaf ear to all their requests for their recall, especially those of Cervini, who was the butt of the sharpest attacks and who, on account of his courageous answer to the Emperor's threats, had risen still higher in the Pontiff's estimation. The mutual confidence of the Pope and his legates remained undisturbed and thus greatly facilitated the continuation of the Council. On the other hand, by postponing the translation out of consideration for the Emperor, Paul III avoided the threatened rupture. But from now onward a heavy cloud darkened the horizon of the Council.<sup>1</sup>

<sup>1</sup> Situation at Trent after the postponement of the translation: apology of the legates to Verallio on 14 August, *C.T.*, VOL. X, pp. 605 ff.; their doubts about the possibility of

The outbreak of war and the struggle for the translation of the Council explain the otherwise unaccountable delays of the work on the decree on justification as well as the slackness of the debates of 13 and 17 August. Del Monte, who after the scene with Madruzzo had sworn that never again would he attend a general congregation at Trent, had nevertheless been compelled to take the President's chair, whether he liked it or not. Contrary to general expectation, the subject of the debate was not the almost forgotten decree on justification. Vida accurately describes the level of the debate when he says that "everyone recited his more or less appropriate little piece". It was with mixed feelings that the legates and their supporters took part, on 19 August, in a procession of intercession for a happy issue of the war. The procession made its way from the church of the Holy Trinity to Santa Maria where the Bishop of Badajoz officiated at Mass and Musso preached: at the conclusion a plenary indulgence was granted. When in the first days of September news came from the theatre of war that a decisive battle was about to be joined the procession was repeated, on 8 September. On three other consecutive days, 11-13 September, a shorter service of intercession, consisting of the Litany of the Saints and Mass was held, by order of the Council, in the church of the Holy Trinity.

With regard to the resumption of the debate on justification, the legates took their time. To the general congregation fixed for 28 August,<sup>1</sup> they only submitted the question whether the doctrine that a

executing the papal directives, *ibid.*, pp. 617 ff. Gianbattista Cervini suspected that Cardinals Ardinghello and Sfondrato advocated the rejection of Cervini's request for his recall in order to keep him away from Rome and the Pope, *ibid.*, pp. 900, l. 25; 902, l. 15. As a matter of fact at that time Sfondrato had been chosen by Paul III to succeed Cervini, *N.B.I.*, VOL. IX, p. 202, n. 2; *C.T.*, VOL. X, p. 638, n. 1. On 27 August Cardinal Santa Fiora rejected the legates' criticism and described the translation as "necessaria in ogni eventi", *C.T.*, VOL. X, pp. 626 f. The Emperor's answer to Farnese, 29 August, *N.B.I.*, VOL. IX, p. 211; *C.T.*, VOL. X, p. 634, l. 16. Vida's letters to Cardinal Gonzaga, 13 and 24 August 1546, in State Arch. *Mantua* 1915, or. The religious service of 19 August for a happy issue of the war, *C.T.*, VOL. I, pp. 568 f.; VOL. V, pp. 415 ff.; according to VOL. X, p. 622, l. 34, the Bull granting an indulgence only arrived at Trent on 31 August. On 5 September the Bishop of Badajoz writes to Ponce de León (del Consejo de S.M.<sup>dad</sup>): "En el Concilio no se haze estos dias cosa nynguna, porque esta todo suspenso hasta ver el buen fin desta guerra." "This evening", he adds, "two couriers brought the news that the Count von Büren had joined the army of the Emperor", Escorial Library, ms. Ecc. II 7, fol. 308, or.

<sup>1</sup> General congregation of 28 August 1546: Pratanus, *C.T.*, VOL. II, p. 388, l. 31, wrongly asserts that no general congregation had taken place between 17 August and 23 September. The protocol is in VOL. V, pp. 418 f. In their judgment of the attitude of the "Ispani et regnicolae", that is, the bishops of the kingdom of Naples, Severoli, *C.T.*, VOL. I, p. 102, and the legates' report, VOL. X, p. 629, are in agreement. Cervini's principle quoted in the text, VOL. V, p. 418, l. 11, is thus formulated in VOL. X, p. 629, l. 22: "L'heresie si dannino, le questioni fra li dottori scholastici non si decidino."

man can be certain of his being in a state of grace, the rejection of which in the July draft had been resisted by those theologians and Fathers who held Scotist opinions, should be discussed in detail and thereafter defined by the Council, or whether they might content themselves with condemning the Lutheran doctrine that a man can be certain by faith (*fides fiducialis*) of his personal justification. The imperial party were in favour of a discussion because they saw in it a means for drawing out the negotiations and thereby delaying the completion of the decree. Their curial opponents were in a position to appeal to the principle formulated by Cervini and which had been acted upon until then, namely that it was the Council's task to set forth Catholic dogma and to condemn doctrines that were at variance with it, but that it was none of its business to pass judgment on the various opinions prevailing in the schools of Catholic theology. The only question was whether a formula could be devised which would refute Luther's teaching without touching on the opinions of the schools. The voting resulted in seventeen votes in favour of a discussion of the above-mentioned problem while twenty-one were cast for a simple condemnation of the Protestant teaching of the certainty of grace by *fides fiducialis*. To this group must be added four votes which left the decision to the legates. In view of this result Del Monte announced that a way would be sought to satisfy both groups. By mid-October such a way had actually been found.

The list of those present and the result of the voting at the general congregation of 28 August throw light on one of the reasons for the surprisingly passive attitude of the legates during the weeks that followed the storm. At the June Session sixty-five prelates entitled to a vote were present. This time only forty-two votes were cast and of these nearly one-half favoured the imperial thesis. This reduction of personnel and the consequent shifting of the voting strength were due to the flight from the Council which had begun soon after the Session and which had assumed alarming proportions since July. The legates hesitated to complete the decree on justification with a Council thus weakened, and still more to take the risk, with so slender a majority, of putting an eventual translation to the vote. Was it not within their power, or that of the Pope, they asked themselves, to fill up the Council once more and to strengthen their party by recalling the absentees?

When the flight from the Council was put forward as an argument in favour of its translation the Emperor had countered it with the seemingly unanswerable argument: "If the Pope can send his bishops



to the Council, he can also order them back to Trent." In point of fact when a beginning was made in this sense the task proved far more difficult than had been expected. The Pope's command, ordering the bishops back to Trent dated from 28 August, but neither the nuncio in Venice, nor the Bishop of Caorli nor the commissary Antonio Pighetti da Bergamo who had been sent thither by the legates for that purpose, had had any success. Every one of those concerned had some excuse or other, such as illness, an empty purse, urgent private business. The chief motive, however, but one hardly ever openly avowed, was aversion for Trent and the secret conviction that sooner or later the Pope would transfer the assembly to Italy. To bring about the return to Trent of prelates who, for the most part, had withdrawn to Venice, Brescia, or to some other cities of Upper Italy, more drastic measures would have been required, but from the use of these the Pope shrank for he would not, and could not, antagonise his own adherents. Moreover, with a view to preventing the introduction of contagious diseases, the Venetians had closed their frontiers since September so that such prelates as returned to Trent had to reckon with the possibility of being denied admission to Venetian territory in the event of a translation of the Council.<sup>1</sup>

We have a typical instance of this reluctance in the letters and the conduct of the Bishop of Lucera, Mignanelli. This prelate had close personal relations with the legates—in a letter of 20 September they speak of him as "amico intimo"—and as a former nuncio in Germany he was thought to be a well-informed person. On 6 September he wrote to Maffeo: "Up to this time I have patiently put up with the inconveniences of the city of Trent, the prevailing high cost of living, the antipathy of the population towards us, as well as the alarming proximity of the war. But now that I know that the Pope is contemplating a translation of the Council, and that he has actually authorised the legates to effect it, there is nothing to keep me at Trent, even if there has been a delay in the meantime", for there, he wrote on 18 September, "everything is directed from this side or that". The 500 scudi which he had put aside for the Council, thinking that it would not

<sup>1</sup> Efforts to secure the return of the prelates who had left Trent, *C.T.*, vol. x, pp. 623, 635, 653 f., the Pope's command of 28 August, *ibid.*, p. 628; his principle, no forcible means must be employed ("il sforzarli de fatto non conviene"), *ibid.*, p. 657, l. 14. By 22 September twelve bishops residing at Venice had promised the legates to return to Trent, *ibid.*, p. 660, l. 13, but attendance only began to increase in October. —Mignanelli's letters to Maffeo and to the legates, *C.T.*, vol. x, pp. 629, n. 6; 650 f.; statement of his expenses in connection with the Council, *ibid.*, p. 654, l. 15. Verallo's remark to Granvella, *N.B.I.*, vol. ix, p. 224.

last longer than a year, had been spent, and on the other hand he would not touch his private means nor "live on alms", that is papal assistance. He had made up his mind to leave Padua at the end of September and to go to Ancona, via Venice, when he would enter the service of the legate for the Marches, Cardinal Ranuccio Farnese. He saw the Council heading for a catastrophe in the near future and drew a gloomy picture of the Pope's policy which he compared to that of Clement VII before the Sack of Rome.

The feelings of those who remained at Trent did not greatly differ from Mignanelli's. Nuncio Verallo accurately judged their mood when he told Granvella, at the beginning of September, that "the bishops felt as if the Emperor had them by the throat". They were obliged to pay ten, fifteen and even twenty scudi a month for their lodgings, that is, as much as the total income of the bishop of a small diocese, and if they happened to be in arrears with their payments, the citizens complained to the Prince-Bishop of Trent. Quarrels were the order of the day. At the general congregation of 28 August the conciliar commissary Giacomelli demanded the assistance of three prelates in order to strengthen his authority when he was called upon to settle disputes about rents and prices.

But the most discontented persons at Trent were the legates. It would be an exaggeration to accuse them of passive resistance, but their ill-humour over the rejection of their plans for a translation led them to adopt a waiting policy. Instead of submitting to the Pope new proposals for the continuation of the work of the Council, they filled their reports with personal matters so that the Pontiff complained of the dullness ("siccità") of these documents. On 22 September they accordingly broke their silence, but their letter to the Cardinal-Camerlengo Santa Fiora, who was acting for Alessandro Farnese, was one long lament, in spite of the respectful restraint which they invariably practised. In their opinion the unique opportunity for enabling the Council to do its work, which, as they saw it, was by means of its translation, had been let slip irrevocably. In July there was an obvious reason for such a step, namely the bishops' fear of war, and it would have been regarded as a spontaneous decision of the assembly and not one due to papal intervention. The Emperor also, who at that time depended on the papal auxiliaries, and who had not as yet decided to pursue a negative policy, would have been compelled to make the best of it. Now, however, the two fronts had hardened. A translation would mean the rupture of the papal alliance; as for a suspension, there

was no longer question of it. It is for the Pope to decide what is to be done; how the Council is to be kept going.<sup>1</sup> They hint at only one way out of the impasse: they might proceed with the discussion of the decrees on justification and the duty of residence, and either publish them, or in the event of the imperialists offering opposition, make their obstruction the starting-point for fresh decisions. In his letter to Maffeo, which was despatched at the same time, Cervini makes a further request. It was that as many well-informed prelates as possible should be sent to Trent. They must be men on whom the legates could rely so that, with their help, they might be able to reach the appointed goal. Both legates refused to stay any longer at Trent and in pressing terms renewed their request for their recall. In a concluding remark Cervini betrays his vexation at the treatment to which he had been subjected: "I am weary", he wrote, "of having to defend myself every moment; by this time everybody might know what manner of man I am." In a letter to Farnese dated 20 September, Del Monte betrays his unwillingness to prolong his stay at Trent. He informs the cardinal that one evening, when he complained to his doctor of a pain in his throat, the latter said: "You are committing suicide if you remain any longer at Trent." "The climate of Trent", Del Monte went on, "is to blame for the Bishops of Vaison and Rieti, who looked fresh and hale on their arrival here, having had to leave on account of illness. The legate Pole and the Archbishop of Siena lie sick at Padua. The Bishop of Acqui has lost the use of his arms and the Bishop of Feltre is almost blind and deaf. Fregimeliga, a physician of Padua, made his escape after only a brief stay in the city; he fell ill at Padua and is cursing the city of the Council."

"I despair of my ability to do any good here", Cervini wrote to his friend Maffeo on 26 August. His vexation caused him to take too gloomy a view of the situation. The decree on justification which left the workshop of the Council at the end of four months' arduous labour, is known in history under the title of the "Tridentine decree on justification".

<sup>1</sup> Santa Fiora's and Maffeo's complaints of the jejuneness of the legates' reports, *C.T.*, vol. x, pp. 646, l. 8; 648, l. 11; the legates' report of 22 September, *ibid.*, pp. 658 ff. Del Monte's laments over the bad climate of Trent, *ibid.*, p. 654, l. 36; similar complaints by Mignanelli, *ibid.*, p. 655, n. 1. Cervini's pessimistic remark, *ibid.*, p. 626, l. 6.

## The September Draft of the Decree on Justification and the Plan for a Suspension

IN the general congregation of 23 September the legates laid before the assembly the new, long-awaited draft of the decree on justification—the so-called “September draft”. Although the committee for drawing up decrees was still in being it had had no part in the elaboration of this decree: its anonymous author was Seripando.<sup>1</sup>

As early as 24 July, that is, on the very day on which the July draft had been submitted, Cervini had sent for Seripando and unfolded to him the basic ideas of another, entirely new draft which he wished him to draw up. The work which Seripando presented to the cardinal on

<sup>1</sup> Origin of the September draft: Seripando's two preliminary drafts, *C.T.*, VOL. v, pp. 821-33. His notes, *C.T.*, VOL. II, pp. 429 f., which place the revision in the period between 26 and 28 August, render the date of 19 August for draft B doubtful, to say the least. Contrary to what I stated in my *Seripando*, VOL. I, p. 384 (Eng. edn., p. 348), I now regard Seripando's statement that his second conference with Cervini took place on 26 August as more probable than the date of draft B (19 August). The notes in Massarelli's diary for 23-24 August, *C.T.*, VOL. I, pp. 569, l. 24; 570, l. 1: “Scripsi decretum de iustificatione a Card. S. Crucis confectum”, can only refer to a draft of Cervini's own composition which the secretary recognised as such by the handwriting. It may be identical with the “alia quaedam quae sibi occurrerat . . . decreti forma” mentioned by Seripando on 26 August.—On the same day Cervini wrote to Maffeo, *C.T.*, VOL. x, p. 626, l. 5, “Io ho preso cura di far riformare il decreto”. Del Monte's statement in the general congregation of 28 August, *C.T.*, VOL. v, p. 418, l. 3: “decretum . . . fere absolutum”, would be quite easily explained if Seripando put the finishing touches to it, but less easily if the preliminary draft had been in Cervini's hands since the 19th. Why is it that Massarelli only mentions on 29 and 30 August that on both days he worked on the decree with the cardinal for three hours? VOL. I, pp. 570, l. 30; 571, l. 2. Why did the consultations of the theologians only begin on the 31st? Massarelli's one and only visit to Vega on 19 August, VOL. I, p. 569, l. 3, may quite well have been occasioned by some special problem which Cervini had encountered as he worked through the preliminary draft A. But in that case the question “of which *decretum de iustificatione* did Massarelli make a fair copy on 20 August?” must remain open, VOL. I, p. 569, l. 6. The consultations of the theologians, and after them of the Fathers, between 31 August and 21 September, described in the text, are based on Massarelli's *Diarium III*, *C.T.*, VOL. I, pp. 571-5; the legates' reports of 10 and 14 September make only brief references to them, VOL. x, pp. 642, l. 10; 647, l. 29. The September draft, VOL. v, pp. 420-7. S. Ehses, “Der Anteil des Augustinergenerals Seripando an dem Trienter Dekret über die Rechtfertigung”; *R.Q.*, XXIII (1909), Geschicht., 3-15, is largely out of date; cf. Jedin, *Seripando* VOL. I, pp. 384 ff. (Eng. edn. p. 348 ff.).

11 August (preliminary draft A) was no mere rearrangement of the July draft, but a new production both in respect to matter and form. It met with the approval, on the whole, both of the legates and of the bishops to whom the former submitted it. However, two weeks later on 26 August, Cervini returned it to its author with the injunction to recast it in the light of a draft "which", he said, "had come into his hands". The new formulation (preliminary draft B) was ready by 29 August.

Although the preliminary draft B was never laid before the Council we must stop to consider it for a moment, for it introduces into the history of the Tridentine definitions an epoch-making innovation of a formal kind. Up to this time the decrees of the Council had been cast in the form of canons condemning errors. This negative formulation was in keeping with an unwritten law of the Councils: Nicea and Chalcedon, the fourth Lateran Council as well as that of Vienne had carried out their teaching office in this fashion. A number of creeds of Christian antiquity were little more than additional summaries, for liturgical purposes, of the positive content of these decisions. The Tridentine decrees on Scripture, Tradition and original sin were also cast in the form of canons. In the July draft the canons were preceded by a profession of faith in salvation through Christ, but a statement of the Church's teaching had also been squeezed in, and so, by reason of their length, the canons had lost their original character. In the preliminary draft A, the introductory explanations of the antecedents of justification (original sin, significance of the Old Law, the promise of the Redeemer and its fulfilment, the notion of justification) were already described as "chapters". This indicated the motive that prompted the alteration in the preliminary draft B which, when it passed on to the canons, stated that henceforth these would be the norm for the exposition and proclamation of the Catholic conception of justifying faith (*docuerit, praedicaverit, senserit*), in fact preachers were given precise instructions in this sense. Now the whole of the doctrinal content was detached from the canons and summed up in fifteen doctrinal chapters to which no more than eight canons were added. This separation of the positive exposition from the canons was maintained from this time onwards and passed into the final decree, and its origin clearly determines its meaning and purpose. The dogmatic chapters were meant to put an end to the doctrinal uncertainty from which the Church had suffered so long and to replace the preachers' instructions with which the faithful had had to be satisfied, by an official, systematic teaching supported by the authority of the General Council.

Less evident than this formal innovation were the differences in content between this and the July draft—but they did exist. In the July draft canon 9 rejected merit only in the strict sense previous to the advent of grace whereas here it was stated that good works done without faith and prevenient grace “do not in any way contribute to justification” (cap. 5, 7). Instead of the July draft’s ample explanation of man’s freedom (can. 10, 11) there is here only the terse statement that justification must be preceded by an active preparation, proceeding from the concurrence of grace and the human will (cap. 6). There was agreement, of course, that justification does not consist in a declaration of man’s justness, but in his being made just by faith and sacraments (*iusti dicuntur et non modo reputantur, sed reipsa sunt*, cap. 8). On the other hand the next chapter (cap. 9) simply states that faith justifies, of course in conjunction with hope and charity. The “content” of justification is said to consist in the remission of sin through the merits of Christ. Nor is there any divergence in the teaching that justifying grace can be forfeited not only by infidelity but by any grievous sin (cap. 14), and that those who persevere in grace are able to fulfil God’s commandments (cap. 13). But whereas the July draft clearly declared life eternal to be the reward of merit (can. 15), the new draft (cap. 15) describes it as a favour promised and a reward due to us. The canons, only eight in number, are restricted to a condemnation of such errors as constitute a particularly serious danger for Christian life. They were not textually taken from Protestant professions of faith or other Protestant writings, but were quoted in the writer’s own words. The three most important ones, the doctrine of *sola fide*, imputation, and *fides fiducialis*, were compressed into one single canon (can. 4). Can. 1, and the canons of the Councils of Milevum and Orange, which form a final appendix, are aimed at the opposite extreme, Pelagianism.

The whole draft breathed the spirit of the Bible and St Augustine and was formulated in their words. Not one specifically scholastic term was used, nor was any mention made of the doctrinal opinions on concupiscence and faith which were peculiar to Seripando; only the title of the eighth chapter “On a twofold justice”, touched on a doctrine which the Augustinian general had at heart.

Under Cervini’s sustained guidance and assistance the preliminary draft B was elaborated into the September draft with hitherto unheard of care. With the help of his secretary Massarelli, the legate first studied it himself on 29 and 30 August. A fair copy was then made and

submitted to the leading theologians of the great schools and nations represented at Trent. Twice Cervini was consulted by the Spanish Dominican Domíngó Soto and once by each of the following: the Italian Franciscan Francesco de' Patti, the latter's French fellow-Franciscans Jean du Conseil (Consilii) and Richard of Le Mans, by Alfonso de Castro, Lainez and Salmeron. After Massarelli had made another fair copy on 4 September, in which note had been taken of the observations of the above-named, the private consultation of the Fathers began. Three times Massarelli took the decree to the Bishop of Bitonto and to the general of the Servites, who made some detailed comments in the margin; then once to the proctor of the Archbishop of Trier, Pelargus, the only German who took any part in the work; then to the Archbishop of Aix and the general of the Conventuals, Costacciaro, and finally, twice to the Bishop of Fano, recently returned from Rome. In this consultation of the Fathers of the Council, schools and nations, not merely knowledge and ability, were taken into account; thus Massarelli had to make no less than four journeys to the Dominican convent of San Lorenzo in order to obtain Domíngó Soto's opinion on the decree. Soto, as representative of his general, sat on the bishops' bench and was even then regarded as the great luminary of the University of Salamanca.

The legates were fully entitled to report on 10 September that work on the decree had proceeded without interruption, that not only every sentence, but every word, even the smallest, had been weighed, although, as they added in their report on 14 September, this was done "privatamente", that is, without the concurrence of a plenary assembly of the Council and that of the decree-committee appointed by it. Thus it came about that these deputies, with the exception of the tractable Giacomelli, refused to submit the September draft to the Council under their name. Cervini accordingly presented it under his own, not unjustifiably, inasmuch as when the work began he had expounded his ideas to Seripando and had continued to direct it. He cautiously described the draft as a basis for further work (*non consummatum, sed ut incoeptum*). It was not exclusively due to the authority of the legate, but likewise to the quality of the work itself, that in the general congregation of 23 September "scarcely anyone dared open his mouth", as the highly gratified legates reported to Rome. The September draft was and was destined to remain, the foundation on which all further work rested. But how does it compare with Seripando's preliminary draft B?

One alteration strikes the reader at once. By the omission of the doctrinal chapters 5 and 11, and the fusion of chapters 7-10 into one, the number of the doctrinal chapters is reduced to 11, while that of the canons is raised to 21. The effort to differentiate the Catholic from the Protestant conception of justification, in every particular, shows itself in a number of minor alterations and three considerable ones. (1) The contribution of the human factor in the preparation for justification is more positively assessed—as it is in the July draft—inasmuch as only merit in the proper sense of the word, previous to the reception of assisting grace, is excluded (*proprie merita excluduntur*) (cap. 7 corresponding to can. 5), while repentance springing from fear is described as useful and “obedience to God” is accepted, even previous to justification (cap. 6). (2) In this same cap. 6 faith, or more accurately the act of a trustful holding as true, is relegated to the preparatory stage, whereas the preliminary draft B, in connection with the preparation, had spoken of “some kind of faith” (*cum aliqua fide*) and had ascribed justification, in cap. 9, to the divinely bestowed virtue of faith united to hope and charity. (3) Finally out of consideration for the Scotists, justifying grace (*gratia seu charitas*) was conceived as a form inherent in man (*ipsis inhaeret*) (cap. 7). In consequence the teaching of the preliminary draft B concerning a twofold justice was expressly rejected (*non sunt duae iustitiae*) while the assertion that “the one justice through Jesus Christ” renders man truly just before God was clearly taught. One sentence of the preliminary draft, however, remained, namely that Christ’s justice is imparted to us and imputed to us “as if it were our own”, without explanation whether this bestowal or imputation was identical or not with the bestowal of the grace of justification.

These alterations to the preliminary draft, the author of which can no longer be identified, brought the September draft once more somewhat closer to the July one. The condemned formula of justifying faith had been avoided. The Scotists were met to some extent with the new formulation of the chapter on the “disposition” and the Thomists with a more thorough elaboration of sanctifying grace as an entitative elevation, as well as with the condemnation of a twofold justice. However, on one important point the September draft did not move in the direction of the July one. The doctrine of the certainty of grace (cap. 7, can. 7 and 8) retained the form Seripando had given it in the preliminary draft. In accordance with the decision of 29 August he contented himself with condemning the Lutheran doctrine of the identity of the *sola fide* justification with the certainty of one’s personal justification and belief in



personal predestination, because "by reason of personal frailty and inadequate dispositions not every one that confidently trusts that his sins have been forgiven, and in this way sets his mind at rest, can be sure that his sins are actually forgiven". This purely anti-Lutheran formula ruled out the divergences between the theological schools which had made themselves felt in the last days of July.

In the general congregation of 23 September, the Council took in hand the further development of the September draft. It was decided to hear the theologians, not in private—this had been done already—but in the public congregation. In three congregations of theologians held from 27 to 29 September, a specially selected group of 19 divines gave their opinion on the draft, namely 4 Dominicans, 2 Conventuals, 5 Observants, 1 Augustinian, 1 Carmelite, the Jesuits Lainez and Salmeron, and finally three secular priests, one of them a German, Burkhard von Geldern; the nineteenth, who only intervened on 29 September, was the Spaniard Martin Pérez de Ayala, a member of the Order of the Knights of St James, who after a three years' stay in Germany and in the Low Countries had recently arrived at Trent and was staying with Mendoza, the ambassador.<sup>1</sup>

De Ayala was one of the very few people who desired a widening of the decree. He complained of the omission of a condemnation of the Anabaptists. This complaint was not altogether unjustified since Anabaptism presented the classical case of the "justification of an adult". With his suggestion that the canons should be completed by the addition of "authorities", that is, proofs from Scripture and Tradition, the Spaniard Herrera showed that he had failed to grasp the meaning of the recent division of the decree into two sections. More to the point were the observations of the Frenchman Du Conseil (Consilii); they were to

<sup>1</sup> The protocol of the congregations of theologians on 27, 28, 29 September has come down in two versions, viz. Massarelli's original text, *C.T.*, VOL. V, pp. 431-4, and a fair copy made for the benefit of those engaged in drawing up the decree, *ibid.*, pp. 436-40, to which have been appended the comments of the Servite Mazochi, the Dominican John of Udine and Dr Navarra, though they were not actually delivered. Both versions confine themselves almost exclusively to the proposed improvements without insisting on the arguments alleged in their support. The question frequently asked, whether Massarelli mixed up the votes of Salmeron and Lainez in his fair copy must probably be answered in the affirmative with Ehses. It may be granted with Pas, *Ephem. theol. Lovan.*, xxx (1954), p. 21, that when Miranda gave his vote he was not quite "au courant de l'affaire" since later on, 18 October, he rejected a twofold justice; but the text is clear. For Ayala, whom we meet here for the first time at the Council, cf. H. Jedin, "Die Autobiographie des Don Martin Pérez de Ayala", *Spanische Forschungen der Görres-Gesellschaft*, xi (1955), pp. 122-64; Ayala's intervention between September and October 1540, pp. 130 f.

the effect that the canons should be arranged in a better order: first those directed against Pelagius, then those aimed at Luther, etc. Equally opportune was the remark of Richard of Le Mans, that the preparation for justification described in chapter 6 should not pass over in silence the extraordinary dispensations of divine grace. The Carmelite Vincent de Leone put the Fathers on their guard against a condemnation of the *sola fide* formula without supplementing it with an accurate explanation of its meaning, on the ground that it is also found, though in another sense, in the writings of many Fathers, for instance, in those of St Hilary of Poitiers, and in those of some other Catholic theologians. The suggestions for improvement of chapters 6 and 7 of the draft brought to the surface the divergent views of the schools on the consequences for human nature of original sin and for nature's ability to fulfil the moral law, as well as on the relationship between sanctifying grace and charity. Du Conseil's standpoint, that the chapter on the certainty of grace "should condemn Luther alone", as foreseen by the draft, was not shared by all the theologians. To strict Scotists such as Magnani and Moncalvi the condemnation seemed to include too much, namely the certainty of predestination which in view of their conception of predestination they held to be possible, whereas Salmeron, on the contrary, insisted on the exclusion of every possibility of the certitude of grace; he also demanded that the words "not every one . . ." quoted above, should be altered to "no one". Bartolomeo de Miranda was the only advocate of a twofold justice. He was opposed by Lainez who demanded the removal of the very last trace of this doctrine which had survived in the preliminary draft, namely the clause about the imparting and imputation of Christ's justice.

If we would appraise the amount of intellectual precision-work that lies behind the wearisome lists of suggestions for the improvement of the text, every individual proposal made by the theologians should be studied in its relation to the context. The theologians had drawn up their memorials with the utmost care and had not indulged in any kind of hair-splitting. But the decisive pronouncement was only made by the fifty-eight Fathers of the Council who expounded their votes, most of which had been worked out in writing, in nine general congregations, from 1 to 12 October.<sup>1</sup> It became evident that the patient care with

<sup>1</sup> The protocols of the nine general congregations from 1 to 12 October (there were none on 3, 4 and 10 October) contain no less than 18 original votes, *C.T.*, VOL. V, pp. 442-97. Severoli, *C.T.*, VOL. I, pp. 103-8, followed this dogmatic debate more closely than was his custom because he reckoned with the opposition of the imperial party. Of an unseemly haste, with which Mendoza reproached the curial party on

which Seripando in the first instance and afterwards Cervini and his collaborators had polished and filed the draft, had not been expended in vain.

"This decree has been drawn up with such exquisite skill and in so masterly and scholarly an order that I cannot withhold my sincere admiration from it." This judgment of the Archbishop of Palermo was, on the whole, also that of the Council. In point of fact De' Nobili thought that precisely on account of the subtle refinement of its wording the decree would only be understood with difficulty, even by theologians, not to speak of the unlearned. The separation of the canons from the positive, doctrinal matter met with general approval; only a very small number of prelates desired a fusion of those doctrinal chapters and canons which coincided by reason of their content. To the wish expressed by several theologians that the description of the first and second justification in chapters 4 and 5 should be replaced by a precise definition, the Archbishop of Aix opposed Canon Law's well-known shyness of definitions, and the Bishop of Syracuse countered the proposal with the contrary practice of the Councils. It was easy to perceive that the majority favoured a shortening of the decree rather than an extension—perhaps by omitting the condemnation of the Manichees. (Archbishop of Aix.) Where would the Council have got to if its decree had taken notice of all Luther's theses which were read out in the congregation of 6 October by the controversial theologian Ambrosius Catharinus who, as the newly appointed Bishop of Minori, near Salerno, was now entitled to a vote? The prevailing impression was that the decree would be ripe for publication within a comparatively short time and without the necessity of having it read once more in the general congregation. "If all the universities of the world and the Lutherans as well were here, the subject could not have been more thoroughly discussed than has been done", Lippomani reported to Rome on 9 October. The most convincing proof of the high quality of the

5 October, VOL. XI, p. 71, l. 3, there is no trace.—Like the Bishop of Palermo, VOL. V, p. 453, l. 1, the Bishop of Fiesole also spoke favourably of the draft, *ibid.*, p. 456, l. 4: "non video quid sit, quod in eo iure reprehendi possit", while the Bishop of Sinigaglia, *ibid.*, p. 462, l. 18, described it as "perfectissimum". Severoli's statement, *C.T.*, VOL. I, p. 103, l. 23: "mirum in modum laudaverunt" is therefore not exaggerated. De' Nobili's remark about the excessive subtlety of the language, VOL. V, p. 454, l. 22; the warning of the Bishops of Aix and Syracuse against a sharp definition of justification, *ibid.*, pp. 445, l. 46; 465, l. 34. The summing up by the legates in their report of 13 October, VOL. X, p. 684, l. 1; Lippomani's impression, *ibid.*, p. 675, n. 1. The Bishop of Fano's claim that he would be able to delay the completion of the decree on justification for a whole year is taken from Vida's letter to Gonzaga, dated 13 August 1546. State Arch. Mantua 1915, or.

draft was the fact that the imperial party was unable to make capital out of its weaknesses and so force a prolongation of the debate. While the fate of the July draft was still undecided, the Bishop of Fano boldly declared that he would keep the discussion on justification going for a whole year; however, now that he was back from Rome, sickness condemned him to silence. But even if he had been in a position to take part in the general congregations, he would scarcely have succeeded in such an enterprise.

Only the controversy about the certitude of grace came to life again. The general of the Conventuals felt that insufficient account was taken of the Scotist notion while, on the other hand, Pacheco and the Bishop of Lanciano demanded the exclusion of any kind of certitude, as had been foreseen in the July draft. Their offensive was obviously prompted, not by the fact that they belonged to the imperial party, but by their Thomist outlook. A political motive might be more readily ascribed to Pacheco's proposal that a list of all Lutheran errors should be drawn up—but of this also there is no proof.

Theological thought follows its immanent logic. It was not a member of the opposition but one of Cervini's closest associates who raised a problem the discussion of which was destined to delay the conclusion of the debate for many weeks. In his vote of 8 October, Seripando did not insist on points of detail—these he promised to submit in writing—but he put this weighty question to the assembly: "Is the teaching of certain Catholic theologians in Italy and Germany (he mentioned Cajetan, Contarini, Pighius, Pflug and Gropper) to the effect that man is made just by a twofold justice, the one his very own the other Christ's, to be rejected as unreservedly as is done in the seventh chapter of the draft which has been submitted?" The antecedents of the draft make it clear that when Seripando put this question he was not advocating other people's opinions. His ultimate object was to get his own notion of justification discussed, that is, the notion which had been eliminated from the preliminary draft but which breaks through at least in one part of the September one. Seripando's view may be summed up in a tripartite question:

(1) "In the final justification, when man appears before God's judgment-seat, must not Christ's perfect justice make up for the imperfections of his own achievement?" (2) "Does not Christ's justice, over and above the application of his merits through the remission of sin and the restoration of grace, become our justice also, not as a 'form', in the scholastic sense, but by participation?" (3) "Is

the Council justified in condemning the teaching of Catholic theologians who have nothing in common with Luther, Bucer and Calvin, and who are in a position to appeal to St Augustine and St Bernard of Clairvaux?" For Seripando these questions were no mere problems of technical theology; his discourse, perfect as to its literary form, quivered with all the subdued passion of a man fighting for the life of his spirit.<sup>1</sup>

Before him only two speakers had briefly touched on the question of a twofold justice, namely Musso and Costacciaro, whose opinion on the draft Cervini had sought at the beginning of September. Since they now pronounced in favour of its rejection, we may assume that they were aware of the alterations in the preliminary draft, if they had not actually occasioned them. Ambrosius Catharinus's list of errors also betrays a special interest in this question. After Seripando's vote on 8 October no one sought to avoid it. The two speakers on the following day, Bonuccio and Soto, who had also been consulted at the beginning of September, spoke in less unfavourable terms, it would seem, than Pacheco and the Archbishop of Armagh did on 11 October and Seripando's personal friend Galeazzo Florimonte, Bishop of Aquino, on the 12th. The Council was obviously under the impression that a question had cropped up which would have to be thoroughly examined once more. It was not the case that any serious doubts about the fundamental principles of the Catholic doctrine of justification had arisen in the mind of its members. They all conceived it as an entitative, supernatural elevation, through sanctifying grace and the meritoriousness of good works performed in a state of grace. Ultimately the only question was the formulation of an acknowledged element of Christian

<sup>1</sup> Seripando's vote of 8 October, masterly as to its form ("diffuse, eleganter, egregie", Massarelli writes), *C.T.*, VOL. V, pp. 485-90, must be supplemented by the tract of a later date, entitled *Pro confirmanda sententia de duplici iustitia catholicorum quorundam doctrina*, VOL. XII, pp. 664-8. In their report of 9 October, VOL. X, p. 674, l. 9, the legates say that they remained neutral but it is clear that the vote was unwelcome. In Rome the impression prevailed that Seripando had sharply criticised the decree ("c'ha a molte chose contradetto"), *ibid.*, p. 909, l. 7. That on 9 October Soto did not as yet completely reject Seripando's thesis is shown by a comparison of the protocol, VOL. V, p. 491, l. 17, with Severoli, VOL. I, p. 106, l. 5. In both accounts there is question of a participation in the justice of Christ *pro quantitate gratiae et operum*, viz. *secundum mensuram fidei et operum nostrorum*. On the other hand Pacheco, VOL. V, p. 492, l. 10, would not have quoted the Bishop of Bitonto and Soto in the same breath in favour of one justice if the latter had not parted company with Seripando in the course of further comments which Massarelli has not reproduced. Florimonte's friendship with Seripando (cf. Jedin, *Seripando*, VOL. II, pp. 292 ff.) explains why the former, in the first part of his vote, speaks in favour of a discussion of the problem while in the second part he rejects Seripando's solution, *C.T.*, VOL. V, pp. 495 f. Severoli has only noted this second part, VOL. I, p. 106, l. 21.

piety, namely the relation of the justified to Jesus Christ, his Saviour. Since a new drafting of the decree—one that would take note of the many suggestions for its improvement—would take time, the legates decided to submit for discussion by the theologians the question of a twofold justice together with the long-standing, but as yet unsettled question of the certitude of grace. They were all the more willing to put up with this delay as at this very time they were awaiting a papal decision about the future of the Council. On 15 October they accordingly submitted two questions to the theologians: (1) “Has the justified, who has performed good works in a state of grace and with the help of actual grace—both of which stem from the merits of Christ—and who has thus preserved inherent justice, so completely met the claims of divine justice that when he appears before the judgment-seat of Christ he obtains eternal life on account of his own merits? Or is he in need, in addition to his own inherent justice, of the mercy and justice of Christ, that is, of the merits of His Passion, in order to supplement what is wanting to his own personal justice? and this in such wise that this justice is imparted to him in the measure of his faith and charity?” (2) “Is it possible, in view of one’s actual justice, to have a certitude of being in a state of grace? And what kind of certitude?”<sup>1</sup>

<sup>1</sup> The protocol of the ten congregations of theologians on the two questions on 15-26 October, *C.T.*, VOL. V, pp. 523-633, includes no less than 22 original votes, and two others must be added to them, viz. that of Salmeron, first published by Ehse in *R.Q.*, XXVII (1913), pp. 129\*-145\*, and later on, on the basis of a better manuscript, by J. Olazarán in *Estudios ecles.*, XX (1946), pp. 211-40, and that of the French secular priest Hervet, edited by J. Olazarán in *Arch. teol. Granatino*, IX (1946), pp. 127-59. The legates admit in their report of 13 October that they had submitted the certitude of grace for discussion solely at the request of a number of prelates of their party and not because they judged it to be necessary (“non parerci essenzialmente necessaria”); but the question of the twofold justice was, on the contrary, “molto essenziale et necessaria d’essere ben dichiarata nel decreto”, *C.T.*, VOL. X, p. 684, l. 10. On 22 October the legates acknowledge the fact that the congregations “riescono più lunghe di qual (probably *quel*) che si pensava”, *ibid.*, p. 698, l. 3, though they were satisfied with the result, *ibid.*, p. 706, l. 9 (“si son dette di belle chose”).—In the last days of October Mazochi defended his vote on the certitude of grace, *C.T.*, VOL. V, pp. 581-90, against Castro and probably also against Vega in a treatise, VOL. XII, pp. 690 ff. The *Summarium* of the discussion on the certitude of grace, *ibid.*, pp. 693-703, composed by an unnamed Thomist, reports on the votes of several theologians and has therefore a value of its own. Its counterpart is the *summa sententiarum* of a Scotist, edited by J. Olazarán in: *Arch. teol. Granatino*, XII (1949), pp. 287-330; the quotation occurs on p. 295. The votes of the three Roman theologians on the two articles, *C.T.*, VOL. XII, pp. 685-90, only reached Trent on 24 November, VOL. X, p. 719, l. 29. The count of the votes in the *Summarium*, VOL. V, p. 632 f. (21 for, 14 against the possibility of a *certitudo fidei*) is inaccurate. Rückert, *Rechtfertigungslehre*, p. 207, n. 2, reaches the result of 19 (20) against 15. In order to complete the necessarily very summary account of the debate in the text I must draw attention to the extraordinarily copious literature on the subject: J. Olazarán, “Documenti cattolici antiprotestanti precursori della

We begin with a study of the second question because, however great its interest may have been for the reformers' mentality, and even more so for the modern mind, it was of little significance for the definitive formulation of the decree on justification. For Luther faith justifying by itself alone was also faith in one's personal justification, hence the certitude about one's salvation was a duty enjoined by faith. Catholic theologians started from the fact that supernatural grace, produced by God in man, cannot be the object of psychological experience since it enters into the natural essence and the natural activity of the soul in such wise as to be indistinguishable from them in actual psychological reality. There was general agreement that an experimental certitude in this sense was impossible, but there was likewise substantial agreement that by a special supernatural illumination, that is by a private revelation, God may give an individual a certitude of his salvation. The question was whether a man in a state of grace can only arrive at a certitude—only a moral one of course—of his being in such a state by a process of self-observation, of his abhorrence of evil, his love of what is good, a behaviour in accordance with God's will of which he is conscious, or whether by Baptism, or the sacrament of Penance, which convey grace to such recipients as put no obstacle in the way, he may, and even

dottrina sulla certezza della grazia nel decreto tridentino sulla giustificazione", *Il Concilio di Trento*, I (1942-3), pp. 337-55; H. Huthmacher, "La certitude de la grâce au Concile de Trente", *Nouvelle Revue théologique*, LX (1933), pp. 213-26; A. Stakemeier, *Das Konzil von Trient über die Heilsgewissheit* (Heidelberg 1947); F. J. Schierse, "Das Trienter Konzil und die Frage nach der christlichen Gewissheit", *Weltkonzil von Trient*, VOL. I, pp. 145-67; F. Buuck, "Zum Rechtfertigungsdreikret. Die Unterscheidung zwischen fehlbarem und unfehlbarem Glauben in den vorbereitenden Verhandlungen", *Weltkonzil von Trient*, VOL. I, pp. 117-143; G. des Lauriers, "Saint Augustin et la question de la certitude de la grâce au Concile de Trente", *Augustinus Magister* (Paris 1954), VOL. I, pp. 1051-67.—For the origin of the Scotist teaching see J. Auer, "Die 'scotistische' Lehre von der Heilsgewissheit", *Wissenschaft und Weisheit*, XVI (1953), pp. 1-19; V. Heynck, "A Controversy at the Council of Trent concerning the Doctrine of Duns Scotus", *Franciscan Studies*, IX (1949), pp. 181-258; *id.*, "Die Beurteilung der *conclusio theologica* bei den Franziskanertheologen des Trienter Konzils", *Franziskan. Studien*, XXXIV (1952), pp. 146-205, also, pp. 148 ff., an excellent account of the course of the discussion; *id.*, "Zur Kontroverse über die Gnadengewissheit auf dem Konzil von Trient. Ein bisher unbeachtetes Gutachten des Franziskanerkonventualen Jacobinus Malafossa", *Franziskan. Studien*, XXXVII (1955), pp. 1-17; M. Oltra Hernández, *Die Gewissheit des Gnadenstandes bei Andreas de Vega* (Düsseldorf 1941), in an enlarged form, in Spanish under the title: *La certeza del estado de gracia según Andrea de Vega* (Madrid 1945). On the controversy after the Council: Beltrán de Heredia, "Controversia de certitudine gratiae entre Domínguez de Soto y Ambrosio Catharino", *Ciencia Tomista*, LXII (1941), pp. 181-258; J. Olazarán, "La controversia Soto-Catharino-Vega sobre la certeza de la gracia", *Estudios ecles.*, XVI (1942), pp. 145-83. For the attitude of the Carmelites: L. Loriseno, "I Carmeliti e la certezza dello stato di grazia nel Concilio tridentino", *Carmelo*, 1954, pp. 111-41.

must arrive at a certitude of faith of his being in a state of grace, though in this context the word "faith" is not understood in the sense of *fides theologica* in the strict sense but in a wider acceptance. The latter teaching was usually described as Scotist, although Duns Scotus, when treating of the sacrament of Penance in his Oxford commentary on the *Sentences*, only refers to it as a possibility, while in another passage he expressly rejects any kind of intellectual certainty of one's being in a state of grace. The "sacramental argument", that is, a certitude based on the objective efficacy of the sacraments, had actually been hinted at in the writings of a number of Fathers of the Church and had been made use of by the early scholastics, from Anselm of Laon and Peter Lombard, but it was only developed after 1300 by the Dominican Peter de Palude and Durandus de S. Porciano. It was fully worked out and integrated in the scholastic tradition by the Franciscans Walter of Chatton (1322-3) and Anfred Gonteri (*circa* 1325). However, it was not an uncontested element of this school's traditional teaching, for one of the things the conciliar debate brought to light was that the doctrine of the "certitude of faith" of the state of grace was not without opponents within, and adherents without, the Franciscan Order.

In the course of the July debate Grechetto had strongly contested the claim that Scotus actually held the opinion with which he was credited. At that time the doctrine had been supported by the generals of the Conventuals and the Servites as well as by the Benedictine Abbot Luciano degli Ottoni, though the latter made certain reservations. In the October debate the seven Conventuals and the four Observants within the Franciscan family who adhered to it were only opposed by four Observants, but all of them luminaries of their school. They were Castro and Vega at Salamanca, Le Mans and Du Conseil in Paris. In November they were joined by three Franciscan bishops, namely Musso, Antonio de la Cruz and Grechetto. They were also supported by a memorial drawn up by the occupant of the chair of Scotist theology at Padua, Jacobinus Malafossa. The Dominican theologians consistently rejected the *certitudo fidei*, as the Scotist opinion was called (somewhat awkwardly on account of the assonance with Luther's teaching) but Ambrosius Catharinus went his own way on this as on so many other questions. The three Carmelites sided with the Franciscan majority while the votes of the secular priests were divided. Thus the divergence cut right across the Orders as well as across the schools; at bottom it arose out of a different conception of the nature of *certitudo fidei*.



One of their opponents, the Dominican Gaspar a Regibus, defines it precisely as a certitude unmixed with error (*cui non potest subesse falsum*), and argues as follows: We are bound to believe with an unerring faith that the sacraments procure for us grace. But they do this on the one condition that the recipient puts no obstacle in the way, in other words, that he is suitably disposed. But since this condition is subject to human frailty, there can be no certainty of faith in the sense explained above, but only a moral certitude, which does not preclude self-deception. The testimony that we are God's children of which St Paul speaks: "The spirit himself giveth testimony to our spirit that we are the sons of God" (Rom. VIII, 16), is no new revelation on the part of God, it is "an exultation compounded of fear and joy at one and the same time".

The Scotists' *certitudo fidei* is of a different kind: it consists in holding something to be true, but the certitude thus obtained does not attain to a certainty guaranteed by experience. "We are perfectly capable of ascertaining whether we are properly disposed for the reception of a sacrament", says the Conventual Filippo Braschi of Faenza. Now since faith gives us "an infallible guarantee that grace is bestowed through the sacrament, we possess not indeed knowledge, but 'a certitude of faith', which stems from and rests upon faith, that we are in a state of grace." Yet another Scotist author sums up this teaching in these terms: "The sacraments of Baptism and Penance procure a certitude of grace which rests on faith and belongs to the sphere of faith (*certitudinem gratiae ex principio fidei*).” It is easy to see that this *certitudo fidei* has nothing in common with the Lutheran *fides fiducialis*.

It did not escape the clear-sighted Servite Mazochi that there was not in reality a very great distance between the two standpoints and that if the theological parties were at cross purposes, it was due to a difference in their terminology. The *certitudo fidei*, the possibility of which Mazochi granted, is essentially nothing else than the moral certainty which its opponents never denied. He is of opinion that in all probability all the just have a sure knowledge of their being in a state of grace, that, in fact, they are even bound to cherish such a certitude when receiving the Holy Eucharist and in the hour of death, though ultimately this too remains *donum Dei*.

Numerically the adherents of the Scotist opinion were in a slight majority over their opponents (19:15). However, a numerical majority was without decisive significance in the theological congregations since at these gatherings there was no counting of votes but only a weighing of arguments. Neither of the two groups had succeeded in

persuading the other and the three memorials of Roman theologians that have come down to us were also divergent. The Master of the Sacred Palace and John Anthony Pantusa, Bishop of Lettere, denied the certitude of grace while the Apostolic Sacristan, John James Barba affirmed it. There can be no doubt that the theological discussion made a valuable contribution towards a deeper understanding of the problem though next to nothing of it went into the decree on justification which kept to the anti-Lutheran line of the September draft. The theological contest between Soto and Vega on one side, and Catharinus on the other, accordingly continued with unabated violence.

Absolutely unequivocal and of far greater bearing on the framing of the decree was the theologians' answer to the first of the two questions submitted to them on 15 October, that is, the question of a twofold justice. Its formulation differed from that suggested by its spiritual begetter, Seripando. The difference that decided the result of the discussion lay in the different conception of "personal justice"—*iustitia inhaerens*. In his formulation, Seripando identified it with the good works done in a state of grace (*ex sua inhaerenti iustitia, seu ex operibus suis in gratia factis*), hence in his view it is not sanctifying grace that is inadequate and in need of further perfecting, but rather those actions which the justified has performed by a spontaneous use of the energy derived from grace, and this on account of the evil concupiscence which remains active in him. That is why he did not view "the imparting of Christ's justice in proportion to faith and charity", in the final justification, when the activity of life is concluded, as yet another application of the merits of Christ in addition to that already realised in the first justification, but rather as a participation in the infinitely meritorious justice of Christ, when God's mercy (not Christ's, as in the question) gathers this justice and the good works of the just into one. As the question was put it contained two further queries, namely does the possession of sanctifying grace so satisfy God's justice as to enable us to acquire both merit and eternal life? Or does one in grace require, over and above this grace, a further gracious act on the part of God which would supplement the deficiencies of *iustitia inhaerens* by drawing on the merits of Christ? The first part of the question turned on the value of merit, the second on the need of a further application or imputation of Christ's justice in the final justification.

The way the question was stated explains why an overwhelming majority of the theologians consulted—thirty in all—answered the first part of the bipartite question in a clear affirmative and the second in the

negative: only six answered in the opposite sense and one answered both questions in the affirmative.<sup>1</sup>

The only ones to defend a twofold justice as understood by Seripando were the three Hermits of St Augustine, Aurelius of Rocca Contracta, Marianus of Feltre and Stephen of Sestino. Aurelius obviously depends most closely on his master; of Marianus we only have the few lines of the protocol, but Stephen carries the train of thought of the Augustinian tract on a perfect justice and that of Gropper's *Enchiridion* a step further. By inherent justice all three, like their general, understand all that man has achieved in his lifetime in and through grace. This performance is only perfect if God's law has been fulfilled in its entirety; only then is it consummate justice. But since human frailty, in other words concupiscence, prevents its realisation (bipartite question *a*), when the justified stands before the divine judgment-seat the perfect justice of Christ, who fulfilled the law on our behalf, must be imputed to him (bipartite question *b*). For Stephen this imputation is a postulate of practical piety: "Do not let us talk of transcendental matters, let us not attempt to square the circle, but let us speak in the light of our own experience." Personal experience and the experience of the Saints (he quotes words of St Augustine, though they are actually those of St Anselm of Canterbury and of St Bernard of Clairvaux) teach us that when the Christian reflects on the dreadful judgment to come, he has recourse to

<sup>1</sup> The sources of the discussion on a twofold justice have been indicated in the preceding note; here Massarelli's counting of the votes, *C.T.*, VOL. V, p. 632, is not accurate, cf. Jedin, *Seripando*, VOL. I, p. 398, *n.* 1 (Eng. edn., p. 363, *n.* 54); I no longer count Moncalvi and Ayala with the undecided. For the votes of the three Augustinians discussed in the text, cf. for Aurelius of Rocca, *C.T.*, VOL. V, pp. 561-4; for Stephanus of Sestino, *ibid.*, pp. 607-11; for Marianus of Feltre, *ibid.*, p. 599 (only seven lines). For Mazochi's vote, *ibid.*, pp. 581-90; that of Sarra, which it is not easy to interpret, *ibid.*, pp. 547 ff.; for that of Solis we have only the jejune protocol, *ibid.*, p. 576, l. 31. Lainez' vote already printed in H. Grisar, *Lainii disputationes Tridentinae*, VOL. II (Innsbruck 1886), pp. 153-92, is fully discussed by Rückert, *Rechtfertigungslehre*, pp. 245-53; M. González, "La actuación de D. Lainez en el concilio de Trento"; *Miscelanea Comillas*, II (1942), pp. 367-91; F. Cereceda, *Diego Lainez*, VOL. I, pp. 248-53. Miranda's observations on Corpus Christi mysticum, in *C.T.*, VOL. V, p. 551, l. 19; Navarra's, *ibid.*, p. 557, l. 22; Taborel's, p. 630, l. 24; Herrera's demand for a formal condemnation of the twofold justice, *ibid.*, p. 602, l. 39. Of the tracts about the twofold justice only that of Cardinal Pole belongs to the period of the theologians' discussions, *C.T.*, VOL. XII, pp. 671-4; it was probably brought to Trent by Morilla shortly after 9 October together with the annotations to the September draft, VOL. X, p. 685, *n.* 3. Massarelli made a copy of it on 16 October, VOL. I, p. 580, l. 17. Literature: Rückert, *Rechtfertigungslehre*, pp. 217-56; J. Henninger, *Augustinus et doctrina de duplici iustitia* (St Gabriel 1935); H. Jedin, *Seripando*, VOL. I, pp. 396-408 (Eng. edn., pp. 361-73); E. Stakemeier, *Der Kampf um Augustinus auf dem Tridentinum* (Paderborn 1937), pp. 152-206; P. Pas, "La doctrine de la double justice au Concile de Trente", *Ephem. theol. Lovan.*, xxx (1945), pp. 5-53.

God's mercy and the merits of Jesus Christ. Another Augustinian Hermit, Gregory of Padua, similarly appealed to the personal experience of Christians. In theory he rejected the doctrine of the insufficiency of inherent justice but in practice he advocated the imputation of the justice of Christ for, he asks, which of us, when he considers his own life, will presume to assert that he has adequately satisfied every one of God's demands? As well as by these Hermits of St Augustine the doctrine of a twofold justice was also maintained by the Spanish secular priests, Antonio Solis and Pedro Sarra and by the Servite Mazochi. The latter's detailed vote must be analysed: "When I speak to scholastics as a scholastic", this theologian, whose thought was coloured by nominalism, explains, "I find that charity considered not formally as a token of divine sonship but in its own essence, is not an equivalent of eternal beatitude and is therefore unable, in spite of all the works done under its inspiration, to make us partakers of it." However, this scholastic deduction does not clinch the issue. The ordinary Christian is warned by Scripture and the devout priest by the Breviary which he reads day by day, not to trust in his own justice but, on the contrary, to rely with the utmost confidence on Christ our Lord. What would be St Paul's answer if these two questions were put to him? "Draw nigh unto God", he would say, "with complete confidence, not because you imagine that you have reached the goal by your good works, even if you have such works to your credit, but by the faith and through the faith given by Christ, 'who died for us, the just for the unjust'." Mazochi, as well as Hervet, regard the two questions, namely a twofold justice and certitude of grace, as interdependent. If we can have no certitude of our being in a state of grace, shall we not, when we come to die, be thrown into despair if we cannot have recourse to Christ's justice?

Though Christian consciousness appears to lend strong support to the adherents of a twofold justice, the actual weakness of that support appears as soon as it is examined in the light of strict theology. Theology furnishes not a single proof for the necessity of a fresh application or imputation of the justice of Christ in man's final justification. Seripando himself denied it emphatically and avoided every expression that could be understood in that sense. By the terms of the official question it was inevitable; but in that case grace was no longer grace for it did not lead to glory, nor was merit any longer merit since it gave no claim to heaven. In the Catholic conception sanctifying grace, identified in the question with *iustitia inhaerens*, precisely brings about that ontological union with Christ—that communion between Head and members—

which makes it possible for us to be acknowledged as God's children and renders works done in a state of grace meritorious, in spite of their imperfection. Already in the first congregation on 15 October the Friar Observant, Lunello, had pointed out that sanctifying grace is the pledge of our heavenly inheritance; if it were otherwise the just would be at one and the same time both just and unjust. The possession of sanctifying grace is our claim to the inheritance of the children of God; with it and through it we are also in possession of Christ's justice. The connection of the two justices is illustrated by means of several comparisons. Their mutual relation is said to be like that of the ray of light and the sun, the brook and the spring, the grape and the vine, the olive branch and the tree. The Dominican Gaspar a Regibus who had also used this last simile, asks himself the question: "Whose is the justice with which I appear before God?" and his answer is: "It is mine and it is also Christ's." Hence *iustitia inhaerens* and *iustitia Christi* may not be separated. The final and only satisfactory solution of the problem thus raised lies in the fact of Christ's mystical body, to which three of the opponents of a twofold justice draw attention, namely the Dominican Bartolomeo de Miranda, the secular priest Andreas Navarra and the Carmelite Nicholas Taborel.

It is not to be denied that in their eagerness to bring out the equivalence of the merit of works done in a state of grace and the reward due to them, some of the opponents of a twofold justice go a very long way. Thus for instance Ludovicus Vitriarius, a Franciscan Observant, imagines the following dialogue between God and the soul: God: "What is thy demand?" The soul: "I ask for eternal life." God: "Why?" The soul: "Because thou art bound to grant it to me." God: "By what law?" The soul: "In accordance with thine own law: 'for thou wilt render to every man according to his works' " (Ps. LXI, 12; LXII, 12, R.V.). On the other hand Richard of Le Mans styles the man a pharisee who boasts of his good works before God's judgment-seat.

The most comprehensive refutation of the doctrine of a twofold justice and the one that made the deepest impression was presented by the Jesuit Lainez. His discourse of 26 October, the text of which fills seventeen quarto pages in Ehses's edition, must have taken at least two hours to deliver. With keen logic Lainez examines the inner structure and the consequences of the doctrine from every angle. He does not deny the inadequacy of human achievement but rejects the conclusions drawn from it: the throne of divine justice must not be turned into a throne of mercy. The doctrine in question is prejudicial to the nature

of grace and merit and leads to a denial of Purgatory where the imperfections of those who die in a state of grace are atoned for. Previous to Lainez, Salmeron had noticed another untenable consequence: "Do not our actions lose all significance", he asked, "if Christ's justice is universally imputed?" but when he asked this question he forgot that what was claimed was that this imputation of Christ's justice was "according to the measure of faith and charity", hence in accordance with the supernatural level attained by man.

There was no shrewder opponent of the doctrine of the twofold justice than Lainez, yet it was not he who overthrew it: it had already been defeated by the time his turn came to speak. The strongest arguments in the opposite sense had already been brought forward in the first days of the debate by the Carmelite Vincent de Leone, the Franciscans Lunello, Richard of Le Mans and Jean du Conseil. By 16 October du Conseil confessed that he had been so impressed by their arguments that he had abandoned his original view. The Dominicans were unanimous in rejecting it, as were the Franciscans, though their Scotist conception of merit might more easily have proved a bridge to the alleged insufficiency of inherent justice. Thus Lainez merely sealed a judgment that had already been pronounced.

One very effective argument of the opponents of the doctrine of a twofold justice, and a dangerous one for the persons of those who held it, was the fact of its novelty: "I know no doctor who taught it", the Florentine Conventual Tomasini observed, "nor did I find it in Scripture." Hervet described it as "newly excogitated", and Herrera as "novel and unknown to the Fathers". Was not Luther its real author?

Lainez was not alone in stamping it as Lutheran. Already in the general congregation of 12 October Del Monte had been obliged to protect Seripando against the suspicion that his teaching was heretical, but Herrera alone pressed for an explicit condemnation in the course of the congregation of theologians. As a matter of fact the formula of a twofold justice was a novelty.<sup>1</sup> Its author was Johann Gropper, a

<sup>1</sup> For the origin of the doctrine of a double justice: S. Ehses, "Johann Groppers Rechtfertigungslehre auf dem Konzil von Trient", *R.Q.*, xx (1906), *Gesch.* pp. 175-88, in the main only treats of the course of the controversy at Trent and is out of date. That Pighius was not the inventor of the formula I have demonstrated in "Studien zur Schriftstellertätigkeit Albert Pigges", pp. 96-123. For Gropper, see W. Lipgens, *Kardinal Johannes Gropper und die Anfänge der katholischen Reform in Deutschland* (Münster 1951), pp. 85-116; also Gropper's defence against the third Louvain censure of the Antididagma, in W. van Gulik, *Johannes Gropper* (Freiburg 1906), pp. 211 ff., where one perceives at once that here the same problem is met with as at Trent. Further literature in H. Jedin, *Seripando*, vol. I, pp. 373 ff. (Eng. edn., pp. 335 ff.).

theologian of Cologne, who was inspired by the highly estimable motive of building a bridge between the Catholic and the Lutheran doctrine of justification. Albert Pighius, who was usually regarded as its first exponent, had only taken over the doctrine from Gropper. In accordance with his teaching on the nature of original sin, Gropper had conceived justification as the imputation of the one justice of Christ. Contarini had borrowed the formula from him and defended the Ratisbon formula in his *Epistle on justification* (cf. VOL. I, p. 382). The Pope had neither approved nor expressly condemned the Ratisbon formula of reunion which could not be described as Lutheran, for Luther would have none of it; it was actually the result of the Catholic discussion of Luther's theology and to that extent Seripando was justified in describing the controversy about it as a discussion among Catholics. On the other hand it was no less incontestable that it owed its origin to none other than Luther.

Much more difficult to answer is the question whether the matter under discussion must be regarded as entirely new. It can scarcely be denied that at the very least Seripando's conception of concupiscence and justification link up with certain Augustinian notions. Seripando neither was, nor wished to be, an innovator. His weightiest authorities were the Scriptures and St Augustine, not the contemporary divines whom he quoted. His aversion for the teaching on "habits", his dynamic conception of grace as the entelechy of "the justification of works", stamped him rather as a traditionalist who, not wholly satisfied with the results of the great scholastics' teaching on grace—a teaching with which, in contrast with Luther, he was well acquainted—was not prepared to accept the definitions of the scholastic system as an exhaustive expression of the fulness of life opened out by the New Testament.

Not proven, and scarcely capable of proof, is the hypothesis that Seripando was the most prominent upholder and exponent of a school-tradition of his Order so that he and his fellow Augustinian Luther were as two branches on one and the same tree.<sup>1</sup> If the

<sup>1</sup> A. V. Müller has sought to prove by means of several publications (list in E. Stakemeier, *Der Kampf um Augustin auf dem Tridentinum* (Paderborn 1937), p. 241) the existence of a late medieval Augustinian school (Simeone Fidati da Cascia, Hugolin of Orvieto, Agostino Favaroni, Jacopo Pérez de Valencia) and Luther's dependence on it, but his efforts were in vain. Here there is question of the dependence of Seripando and the Tridentine Augustinian theologians on the theology of their Order which could only be pointed to but not answered both by myself, in *Seripando*, VOL. II, pp. 250 ff., and by E. Stakemeier, *Kampf um Augustin*, pp. 22-60, owing to the lack of satisfactory preliminary researches. Only Gregory of Rimini and Hugolin of Orvieto are fre-

Augustinian general Agostino Favaroni (d. 1443) betrays certain affinities with the Augustinian school of Trent, as Simeone Fidati da Cascia (d. 1348) had done before him, and Jacopo Pérez de Valencia (d. 1490/1) was to do after him, we must remember that as Augustinians these men studied the works of St Augustine—and we may add, the early Augustinian scholasticism—with particular keenness, but by the side of cognate ideas and turns of speech there are also far-reaching divergences. The relatively uniform attitude of the Augustinian Hermits at Trent does not postulate the survival of a late-medieval Augustinian school; it is readily accounted for by the Hermits' preoccupation with St Augustine and by the prestige of a man of such outstanding intellectual stature as was the general of their Order, Seripando. The cognate notions of some other contemporary Augustinian divines, such as Ambrose of Padua, Julian of Colle, Agostino Moreschini and the German Johannes Hoffmeister, must be traced back to the same sources and circumstances. Shortly before the opening of the Council of Trent a comprehensive collection of the pertinent works of St Augustine had been published at Venice by the Augustinian Fregoso. The work, in three volumes, was dedicated to Seripando, the general of the Order.

When one considers the tangible results of the theologians' congregations held between 15 and 26 October, one may feel inclined to regard them as a deviation, or at least as a digression. The discussion of the certitude of grace which remained undecided merely confirmed the principle of the self-imposed limitation which had been agreed to at the general congregation of 29 August. The unequivocal rejection of the doctrine of a twofold justice confirmed the corrections which from Seripando's preliminary draft B had led to the September draft, as well as the suggestions for its improvement that had been submitted; these were calculated to expunge the last traces of Seripando's views. For all that this lengthy discussion was no digression; on the contrary it

quently discussed, see M. Schüler, *Prädestination, Sünde und Freiheit bei Gregor von Rimini* (Stuttgart 1934), and A. Zumkeller, *Hugolin von Orvieto und seine theologische Erkenntnislehre* (Würzburg 1941); *id.*, *Dionysius de Montana, ein neuentdeckter Augustinertheologe des Spätmittelalters* (Würzburg 1948); *id.*, "Hugolin von Orvieto über Prädestination, Rechtfertigung und Verdienst", *Augustiniana*, IV (1954), pp. 109-56; V (1955), pp. 5-51. *D. Aurelii Augustini opuscula, quo omnia, quae ad fidem et opera pertinent, declarantur ex libris eiusdem* (Venice 1545), published by the Hermit of St Augustine Agostino Fregoso Sosteneo, is important for the Council. For the Augustinianism of Augustinians who were not at the Council cf. Jedin, *Seripando*, vol. II, pp. 254 ff.; *id.*, "Agostino Moreschini und seine Apologie Augustins", *Augustinus-Festschrift* (Cologne 1931), pp. 137-53.



compelled the Council to force its way through formulas and catchwords to the ultimate difference between the Catholic and the Lutheran doctrine of grace. We may regret that more than one fruitful notion that came to light in the course of the debate was not embodied in the final text of the decree, but we must remember that the first and foremost task of the Council was precisely and sharply to trace out the line of demarcation which had become blurred; a later epoch might then look once more for connecting lines.

To Seripando it seemed as if "nearly everyone aimed at excluding Christ's justice from the hearts of men". We can understand his reaction, even though it was not justified. For him the fight for his conviction was a matter of conscience which he felt bound to continue in the general congregation which alone could make an authoritative pronouncement. Although Seripando had not the support of the congregation of theologians, Cervini had the courage to entrust to him the recasting of the September draft. With the assistance of Massarelli, Seripando entered upon the arduous task on 20 October,<sup>1</sup> He had to take into account three factors: (a) the suggestions of both conciliar bodies for an improvement of the text; (b) the observations of the Roman theologians which had been received at Trent on 24 October; (c) Cardinal Pole's criticism of the September draft which had been ready since the middle of the month. It is difficult to imagine

<sup>1</sup> Origin of the November draft; Massarelli's statements in *C.T.*, VOL. I, pp. 581 ff., and the legates' report of 22 October, VOL. X, p. 698, l. 7, make it certain that Seripando had been working on the new version since 20 October although in his own notes, *C.T.*, VOL. II, p. 430, l. 12, he says that he was only commissioned to do so by Cervini on the 25th. In favour of this date is the circumstance that the Roman censures arrived at Trent on the 24th—these Cervini handed to him for his consideration, VOL. X, pp. 692 ff. We must therefore conclude that in the notes of his diary Seripando entered the handing of the Roman censures instead of the earlier commission. It is possible, with Ehses, VOL. V, p. 497, *n.* 1, to fix the latter on the 15th by regarding the 25th as a slip of the pen, but there is no certainty. In any case as early as 23 October Cervini describes the work on the decree as "*fatica assidua et intolerabile*", VOL. X, p. 699, l. 27.—The collection of suggestions for the improvement of the text, made at Trent, which Seripando had to take into account, *C.T.*, VOL. V, pp. 498-509; Pole's censures and the Roman ones, VOL. XII, pp. 674-8. The draft of 31 October, together with the supplementary alterations with which it was submitted on 5 November, VOL. V, pp. 510-18, where on pp. 518-23 the "*rationes*" for the omission of certain suggestions are also given. In the text I did not insist on a draft of a decree which Seripando had probably drawn up before he got Cervini's commission, *C.T.*, VOL. XII, pp. 679-85; on the formal side it links up with the August draft but already takes note of amendments for the September draft.—General congregation of 29 October: *C.T.*, VOL. V, pp. 643 f., with list of those present (53 bishops and 6 votes of abbots and superiors of Orders); VOL. I, p. 582, l. 27, gives only 51 bishops but has 2 proctors. In their report of 30 October, VOL. X, pp. 711 f., the legates describe the decision to discuss the November draft together with the two *dubia* as a "*bel paragone*"; the votes were 38(40): 20.

a greater contrast than that between Pole's criticism and that of the Master of the Sacred Palace, Bartholomeo a Spina. Pole expressed his appreciation of the fact that the historic events of our redemption were made the basis of the doctrine of justification while Spina regarded the doctrinal chapters as superfluous. The cardinal wished greater emphasis to be laid on the doctrine of imputation; the Master of the Sacred Palace, on the contrary, demanded the adoption of the Thomist doctrine on grace and a generous array of technical terms. The fact was that Spina was much more dissatisfied with the draft than Pole.

It took the morning hours of ten consecutive days of united effort before Massarelli, with a sigh of relief, was able to put a full stop after the last line of the new draft. Every suggestion and correction had been considered. If it was not acted upon, the reason was given by Seripando in writing. No text of any law or constitution can have been subjected to more careful elaboration than this. The task was not yet completed when, in a short general congregation held on 29 October, it was decided to discuss the two questions at the same time as the revised draft. Pacheco's demand that the questions should be debated first and the draft afterwards was rejected by a two-thirds majority. The legates thought of submitting the new draft—the November draft—to the Council after the days of All Saints and All Souls.

But, we may now ask, had not the Pope, when he put off the plan for a translation in mid-August, contemplated the translation of the Council to a neutral city of Italy in the course of the month of October? Why then did he not revert to this plan at this time? Had the legates abandoned their notion that at Trent the Council's freedom of action was intolerably circumscribed by the Emperor and by the prelates devoted to him—beginning with Madruzzo, the lord of the city and district? And had they renounced the wish to leave Trent which had become hateful to them?

Neither of these two hypotheses corresponded with the facts: it was the Emperor who continued to resist a change of locality. When in the course of the summer the imperial policy wrung from the Pope a two months' respite, its sole aim had been to gain time, for it reckoned with the termination of the War of Schmalkalden before the onset of winter. However, this expectation did not materialise. The Danube campaign in the autumn of 1546, for a while a war of position before Ingoldstadt, and later a war of movement in the territories of Donauwörth and Ulm,

led to no heavy engagements for, owing to an approximate equality of their respective forces, neither of the contending parties dared risk a decisive battle. The Emperor's reasons for a negative attitude remained therefore unchanged. Towards the end of September, with the Pope's approval, Charles V's Roman ambassador Juan de Vega had despatched his secretary, Pedro Marquina, to the imperial headquarters for the purpose of softening the monarch's stubborn attitude to the question of a translation. The Emperor, however, got the impression that both Vega and Marquina had become entangled in the meshes of papal diplomacy. He accordingly decided to recall the former and to replace him by Diego de Mendoza who had been ambassador to the Council up to this time. Marquina, whom a Roman observer also describes as "intoxicated by Rome's greatness", returned thither with Juan, Diego's brother, whose reliability the Emperor did not doubt. Juan de Mendoza was instructed to prevent the translation in any circumstances and, if possible, also the publication of the decree on justification. The legate Farnese left the imperial court towards the end of October without having obtained the slightest concession in the matter of the translation.<sup>1</sup>

In addition to all this, from the reports of his nuncio, Dandino, the Pope had learnt that, contrary to expectations entertained both in Rome and at Trent, Francis I was by no means agreeable to a translation into central Italy. This attitude, of course, was not due to the fact that the

<sup>1</sup> The Emperor's rejection of the plan for a translation: *C.T.*, VOL. x, p. 645 (the Emperor's "rationes"). On 8 October Farnese writes: "di qua la non se intende niente bene", *ibid.*, p. 683, n. 2; for the course of the war see Brandi, *Kaiser Karl V*, pp. 472-8 (Eng. edn. pp. 549-56).—France's negative attitude appears from Dandino's reports, *C.T.*, VOL. x, pp. 652, l. 22; 669, l. 20 and *nn.* 4 and 5. The report of 1 September, in Vat. Arch. AA I-XVIII, 6532, fols. 105<sup>r</sup>-106<sup>v</sup>, or., says in so many words that in the event of a translation to Lucca the French envoys and prelates were ordered to return home. When at the end of September Dandino informed Francis I that his attitude on the question of the translation was a painful surprise for the Pope, the king declared that there was no object in France being represented at the Council as long as the war against the Protestants was in progress ("finche non vedesse il mondo in maggior fermezza di quiete et di riposo di quella che lo vede hora, in modo che tutte le nationi vi potessero intervenire et concorrere liberissimamente"); he would only send prelates to Lucca if other nations were similarly represented ("finche non vede che vi sia frequentia tale delle altre nationi che si possa sperare d'havere un concilio della sorte che vuole essere"), *ibid.*, fols. 115<sup>r</sup>-117<sup>v</sup> (29 September 1546). The king's attitude seems somewhat more moderate in Dandino's letter to Cervini of 21 October, *C.T.*, VOL. x, p. 695. In the whole affair Francis I was thinking of the German Protestants and of England where the Bishop of Fano's brother, Gurone Bertano, was making a supreme effort to get in touch with Henry VIII.—Rome's silence about the translation on the basis of Cardinal Mendoza's letters of 9 and 14 October, VOL. XI, pp. 72 f.

French king had allowed himself to be taken in tow by the Emperor, but rather to a wish to make the Pope feel still more the full burden of his alliance with Charles V. Francis I let it be known that he did not regard as completely authoritative a Council to which, in accordance with conciliar theory, the Pope was not subject. If there was question of a translation, then Avignon was the place. He boasted that he would get the two most important groups of those who had seceded from the Pope, the German and the English Protestants, to come there. It was evident that this big talk had no more weight than the offer of an accord with the Protestants ten years earlier (cf. VOL. I, pp. 301f.).

In the Pope's estimation this attitude of the two monarchs made it impossible, for the time being, to give effect to the plan for a translation. Paul III no longer insisted on the period of grace that had been conceded to him. Both Juan de Vega and Cardinal Francisco de Mendoza noticed that after the Pope's return from Umbria there was no longer any mention of a translation and the commission of cardinals for the affairs of the Council also dropped the subject.

From the beginning the legates had reckoned with the probability that a postponement of the translation would mean its abandonment. On the other hand, what they observed in the course of the general congregation in the first days of October strengthened their conviction that the situation at Trent was becoming increasingly dangerous for the Papacy and would become quite untenable in the long run. The climate of the Council had undergone a complete change. The assembly had split into two parties—each one a closed formation and subordinating its tactics to political considerations—the curial and the imperial parties. A two-party system was a novelty indeed.

There had been various group-formations before this at the Council, as on the question of the title of the Council and the priority of reform, and during the debate on the Vulgate and the privileges of religious Orders. No one doubted that the handful of Frenchmen at Trent would act as directed by their sovereign whose representatives had arrived shortly before. The bishops of the territories subject to the Emperor had also exchanged views with one another and with the two envoys Mendoza and Toledo; however, they had not grouped themselves into an opposition party. At the beginning of April Toledo had actually promised the legates that he would hold them *in officio*, that is, that he would influence them in the sense of the legates. It was the plan for the translation that turned the imperialists into an opposition. The crisis at the end of July had been a lesson to them and they changed their

tactics accordingly. They knew that any attempt at intimidation, or any threats, would bring about that which they wanted to prevent. A carefully disguised policy of obstruction would yield better results. The leading figures in the collision of 30 July, Madruzzo and Pacheco, purposely kept in the background. In the last days of September Cardinal Madruzzo withdrew to Ripa, on Lake Garda, and, to his colleague's annoyance, did not put in an appearance in the October congregations. Pacheco kept back his vote until the conclusion of the debate, on the plea that he was anxious first to hear Domínguez Soto's vote. In this way it came about that the role of spokesman for the opposition fell to a prelate who was not a subject of the Emperor and who, by reason of his origin and position should have been numbered among the curial party, namely the Bishop of Sinigaglia.<sup>1</sup>

Marco Vigerio della Rovere was a kinsman of Julius II. He had obtained his bishopric when only ten years of age, in consequence of the resignation of the see by his uncle of the same name and a "creature" of that Pope. Though only in his forties he was one of the first to deliver his vote on account of his great seniority—his promotion dated from the year 1513. Thanks to his wide information and independent outlook he had been made a member of the commission for questions

<sup>1</sup> The attempted obstruction by the imperial party at the beginning of October 1546, according to the reports of the legates, 2 and 6 October, in *C.T.*, VOL. X, pp. 667 ff., 670-3; on p. 673, l. 37, occurs the cry of alarm: "si trata in concilio de summa rerum". On 6 October the Bishop of Fano writes to Farnese: "si riduce tutta la chose a fattione", VOL. X, p. 672, n. 3; in Rome people spoke of the "confederados de secreto", VOL. XI, p. 72, l. 15. For the formation of groups at the Council see I. Rogger, *Le nazioni al concilio di Trento* (Rome 1952), pp. 132 ff., 139-74. Toledo's offer to the legates, VOL. X, p. 442, l. 5; Mendoza's report from Venice, 5 October, VOL. XI, p. 71, n. 2.—The votes of the Bishop of Sinigaglia and Pacheco after Severoli, *C.T.*, VOL. I, pp. 103 f., 106, and the acts, VOL. V, p. 460. The Bishop of Sinigaglia's original vote, *ibid.*, pp. 462 f., does not contain the political part of his speech. Del Monte's reply to the imperialists' three points' programme on 12 October is probably given textually by Severoli, *C.T.*, VOL. I, pp. 106 ff., but in the acts, VOL. V, pp. 496 f., part of it is unintelligible. The postponement of the decree on justification was demanded by the Bishops of Sinigaglia, Castellamare, Lanciano, San Marco, Bosa (according to Severoli, *C.T.*, VOL. I, p. 104, l. 23), Badajoz, Astorga, Huesca, Calahorra, Capaccio, Pacheco and the Bishop of the Canaries. Severoli, *ibid.*, p. 104, l. 35, counts the Bishop of Aquino among the members of the opposition; as a matter of fact his letter to Maffeo of 13 October, VOL. X, pp. 685 ff., shows him to have been opposed to the translation. On the other hand he says of the decree on justification "non debet remorari". The protocol, VOL. V, p. 467, l. 17, is not quite clear.—The data about Marco Vigerio della Rovere, Bishop of Sinigaglia, are according to Eubel, VOL. III, p. 298; he was a nephew both of Cardinal Marco Vigerio della Rovere († 1516) and of Cardinal Grossi della Rovere. His arrival at Trent shortly before 12 February 1546, *C.T.*, VOL. X, p. 380, l. 15. Details about his activity in his diocese of Sinigaglia, in Ughelli, *Italia sacra*, VOL. II (1717), p. 877, and in *Cronologia dei vescovi della S. Chiesa Senigalliese* (Sinigaglia 1931), p. 24.

connected with the use of the Bible, but for some time already he had been a source of embarrassment to the legates by reason of his uncompromising stand on the question of residence, his criticism of the Curia and his episcopalistic attitude. In his vote of 2 October he demanded that the Council should be described as *universalem ecclesiam repraesentans*, on the apparently convincing ground that the title was also used in the papal *Ceremonial* which Cristoforo Marcello had had printed during the pontificate of Leo X (1516). He also objected to the promulgation of the decree on justification while attendance at the Council was as feeble as it was at the moment. Publication should be put off until the Council was better attended. Those who were hanging back should be pressed to attend by the threat of the severe penalties which he had already demanded on the occasion of the debate on the declaration of contumacy previous to *Sessio V*. In the meantime the assembly should deliberate about Church reform.

Vigerio does not give the impression that his appeal to his conscience was not sincere, or that his vote had been drawn up under instructions from ambassador Mendoza, as the legates suspected, for in that case he would scarcely have described Trent in the same breath as "insecure and unsuitable" for the Council and thereby have made his own the main argument of those who favoured translation. It was now easy for the Spanish and Neapolitan bishops to give a warning against a speedy completion of the decree on justification—all they had to do was to adhere to Vigerio's vote, in fact some of their number even raised the question of the disputed title of the Council. Pacheco maintained a studied reserve; but he created a sensation by the bold assertion that at Verona and Padua alone there were thirty-five bishops who did not agree with the conciliar majority in respect of the decree on justification. The number he gave was probably exaggerated and the suspicion about their doctrinal attitude was without foundation.

On the other hand the legates also fell into an exaggeration when on 2 October they forwarded an unusually detailed account of Vigerio's vote and of those of his followers, the Bishops of Castellamare and Lanciano, and again when on 6 October they raised the cry of alarm: "Everything is at stake: they want to humiliate the Apostolic See!" The protocols furnish unquestionable evidence that the number of those who were opposed to the completion of the decree did not exceed a round dozen and they carefully avoided any kind of provocation. In the above-mentioned vote of 29 October on the procedure to be adopted in regard to the two articles, the number of the opponents rose to twenty, but even

then the legates' party had a two-thirds majority. Some of those who had fled in the month of August had returned in the meantime and there was a constant flow of fresh arrivals.<sup>1</sup> Two of the most erudite as well as the most faithful adherents of the Curia, the Dominican Ambrosius Catharinus and the auditor of the Rota Sebastiano Pighino, had been raised to the episcopate on 27 August and thus took their places on the bishops' benches. The Dominican Tommaso Stella, Bishop of Salpi, arrived on 12 September; in the first days of October he was followed by the Bishops of Spalato, Melos and Piacenza and on 11 and 12 October by four prelates sent by the Cardinal of Venice, Francesco Pisani, namely two of his own nephews, the Bishops-Elect of Padua and Treviso, and two former familiars of his, the Bishops of Tivoli and Città Nuova in Istria; lastly the Bishops of Terracina and Lesina in Dalmatia also arrived at Trent.

Roman prelates, for whose despatch to Trent the legates had earnestly pleaded on 6 October, were on the way and arrived in the course of the month of November. They were the Pope's vicar for the city of Rome, Filippo Archinto, Bishop of Saluzzo, the auditor of the Apostolic Camera, Cicada, Bishop of Albenga, together with three other bishops. These arrivals reinforced both the actual numbers as well as the weight of the legates' party. The latter had made no secret of the

<sup>1</sup> Restoration of the conciliar majority in October and November 1546: The Bishop of Salpi, the Dominican Tommaso Stella, a zealous controversial preacher, arrived in Trent on 12 September, *C.T.*, VOL. I, p. 573, l. 29; cf. Buschbell, *Reformation und Inquisition*, pp. 61-80. He was followed at the beginning of October by the Bishops of Spalato and Melos, *C.T.*, VOL. I, p. 577, l. 31, and at about the same time by the Bishop of Piacenza, VOL. X, p. 673, l. 45. The 11th and 12th saw the arrival of the four adherents of Cardinal Pisani, VOL. I, pp. 578 f.; VOL. X, p. 684, l. 39. The 12th also witnessed the arrival of the Bishops of Terracina and Lesina, VOL. I, p. 579, l. 12; VOL. X, p. 685, l. 1. The arrival of the Bishop of Curzola must have occurred in September, *ibid.*, p. 746, n. 6. We have the following information about the return of fugitive bishops: VOL. V, p. 443, l. 11, shows that the Bishops of Ascoli, Feltre and Sinigaglia had left Trent for a time. On 10 October the Bishop of Corfu returned, VOL. X, p. 687, l. 21; the Bishop of Sebenico had done so even before, on 1 October, *ibid.*, p. 667, n. 3, and the Bishop of Clermont had arrived before the 12th, *ibid.*, p. 684, n. 8. However, there was a fear lest there should be another flight from the city by the end of the month, *ibid.*, pp. 674, l. 35; 684, n. 2. Pacheco claimed that thirty-five prelates were staying at Padua and Verona, VOL. V, p. 492, l. 38; cf. VOL. I, p. 104, l. 11. Della Casa's letters to Farnese throughout September and October are full of information about the efforts of the nuncio in the matter, e.g. on 28 October: "Mons. di Papho è indisposto; Mons. di Torcelli andrebbe volentieri", but is in financial straits, Bibl. Ricci I, fol. 286<sup>r</sup>, or. In November the legates' party was considerably reinforced by the arrival of the Vicarius Urbis, Archinto, Bishop of Saluzzo, the auditor of the Camera, Cicada, Bishop of Albenga, and the Bishops of Parenzo and Famagusta, *C.T.*, VOL. X, pp. 735, l. 38; 736, l. 12, but their arrival had been preceded by the departure of four majority bishops. The legates' admission that the majority of their adherents were no match for the opposition as regards quality is found in VOL. X, p. 710, l. 33.

fact that their adherents were inferior to the opposition party not only in their outward bearing (*apparentia*) but to some extent also in learning (*doctrina*). In point of fact how could the bishops of the small Italian dioceses and those of the Venetian possessions, who were all dependent on papal assistance, keep pace with the magnificence displayed by the French and Spanish bishops and with their excellent canonistic training and their experience of ecclesiastical affairs? On the other hand there is nothing to show that the legates were in the least intimidated by the opposition.

Like the leaders of the imperial party, the legates made a point of observing the greatest moderation during the October debate, though they were firmly resolved from the beginning not to leave the field to the other side. On the last day, 12 October, Del Monte broke the silence in order to take up the Bishop of Sinigaglia's three points. With an obviously forced geniality he asked why there was so much anxiety about the forthcoming publication of the decree on justification. No date had as yet been fixed (in point of fact the date of the Session had been left in suspense since July). What mattered most at the moment was the production of as perfect a text as possible. As soon as the decree was ripe for publication, the obligation of residence would be taken in hand and on this theme they were prepared to listen patiently to all who chose to speak. The opposition's repeatedly expressed suspicion that the legates were bent on putting off the debate on reform was therefore totally unjustified for they were firmly resolved to act on the principle of a parallel discussion of dogma and reform which had met with the approval of the Council. The president had remained on the defensive so far, but now, by a lightning stroke, he went over to the offensive. Covetousness and lust for power on the part of the Curia, were they, he asked, the obstacles to Church reform? Those who made this charge should remember that the canons of the early Church allotted to a bishop no more than a fourth of the revenues of his see; the other three-quarters were to go to the cathedral, the clergy and to the poor. And who nominated the bishops in France and Spain? It was the king, not the Pope! The feeble attendance at the Council was no argument against the publication of the decree on justification for, as Torquemada had said before him, the authority of General Councils rests on a divine promise and on the primacy of the Pope who convenes them. As for the "inflated" title of the Council, he rejected it as novel and inopportune.

It was natural that the increased tenseness of the situation and the new tactics of the opposition would not escape the adherents of the



legates. Bearing in mind the promises made to them in July and August, they let it be known that nothing would keep them at Trent after the end of October—even the latest arrivals reckoned with a stay of only a few weeks. Their spokesman was the Bishop of Bitonto. A translation must be effected, and that soon. If the Pope hesitates much longer the day will come when he may have the will but not the power to act. The time seemed opportune enough at the beginning of October while both imperial representatives were absent. Mendoza's *maggior-domo* actually claimed to have information that the Session which would decide the translation to Ferrara was fixed for 14 October. This was a piece of gossip for which there was no foundation though it expressed the prevailing state of opinion; in fact Mendoza himself reckoned with the possibility of such a decision, though only at a date nearer to the feast of All Saints; he also thought that it would be passed by a two-thirds majority.

The ambassador's fears were without foundation. In their report of 9 October the legates had already unfolded a new, and in Cervini's words a "marvellous", plan of action which would enable them, together with the conciliar majority, to extricate themselves from Trent without a translation.<sup>1</sup> They based themselves on the fact that at the moment the imperial party was much more concerned to prevent the publication of the decree on justification than it was to prevent the translation of the Council. This meant that the assembly was no longer in a position to carry out one of its two great tasks, hence the Pope had good cause for suspending the Council, seeing that it had no longer any freedom of action. The idea of a suspension had been considered before this only to be turned down, on the ground that it would revive the old suspicion that the Pope wanted neither Council nor reform.

<sup>1</sup> The legates' plan for a suspension is unfolded in their report of 9 October, *C.T.*, vol. x, pp. 674-7, and in Cervini's letters of the same date to Paul III and Maffeo, *ibid.*, pp. 679-83; the one addressed to the latter was however not destroyed by the recipient as he affirms, *ibid.*, p. 688, l. 18, for the original has been preserved. The full gravity with which Cervini viewed the situation is expressed in the words: "Mi protesto che, se la reformatione non si vorrà fare da buon senno, Deus non irridetur, perche in questo punto solo sta tutta l' honestà, la ragione et la forza di questo partito che hora noi proponiamo", *ibid.*, p. 682, l. 38. That in this respect Cervini distrusted certain personalities at the Curia is shown by his letter to Maffeo dated 23 October, in which he reminds him of the earnestness with which he had urged a reform at a time when "voi altri non ci volevate ne morti ne vivi", *ibid.*, p. 699, l. 35. Reference to the Roman synods during Lent, *ibid.*, p. 692, l. 20. The plan for a suspension rendered superfluous the question which Maffeo put to the legates on 4 October by order of the Pope, namely what did they think should be done in three hypothetical cases, viz. the Emperor's victory, the defeat of the Protestants, or an inconclusive termination of the war against them, *ibid.*, pp. 669 f.

But so undesirable a consequence could be avoided. At the same time as he suspended the Council, let the Pope invite the bishops to Rome for a discussion of the reform of the Church which the imperialists had been studiously demanding of late.

In accordance with such a plan the Council would not have been transferred. Trent would have continued to be its seat, as the Emperor wanted, though in point of fact a suspension of this kind was bound to end in a translation. The legates and the main body of the bishops would betake themselves to Rome. But in that event, and in order to save appearances, a new president would have to be appointed for Trent. If the plan was to succeed it was imperative that the suspension should be ordered by the Pope and only subsequently approved by the Council, or at least by a majority of its members. The Emperor would be informed of the papal decision in the same way as the rest of the princes; like them he would be faced with a *fait accompli*. The suspension was to be Rome's decision, not Trent's. In this way inevitable and heated arguments between the two conciliar parties would be avoided, while the sting would be taken out of certain objections of a legal nature which had to be taken very seriously. The validity of a decision to suspend the Council taken by the conciliar majority on a proposal of the legates could easily be challenged by the minority who might claim to be in this case the *pars sanior*, and so say: "Let who will go away! As for ourselves, we shall go on doing our duty." On the other hand, if the Pope ordered the suspension he would be acting in the fullness of his authority to guide the Council. Such an act could not be lightly disregarded while it would at the same time forestall a preventive veto by the Emperor.

Cervini was well aware that there was a particularly weak spot in this finely-spun design—namely the translation of the reform debate to Rome. The Roman reform-convention which the legates proposed had long been a familiar item in the armoury of the Renaissance Popes against political conciliar theory and conciliaristic notions of reform. We can only surmise, for there is no proof, that its reappearance was due to Del Monte who was well acquainted with it through his uncle Antonio, the adviser of the Medici Popes. Cervini took up the idea but gave it a new content for he had always held that a reform decreed by the Pope was the best and safest road to a renewal of the Church. It was solely due to the pressure of the people north of the Alps that in the course of the spring he had come to the conclusion that the Council was the best means for a reform and that he had secured Rome's agreement.

The Roman reform-convention which he now proposed was a return to the original idea, but Cervini could only advocate it on one condition which he unfolded in a memorial addressed to the Pope personally, and even more fully in a letter addressed at the same time to Maffeo but which was meant to be communicated to the Pontiff. The condition was to the effect that there must be a firm resolve to use the convention for a serious and effective reform, otherwise it would be no more than a trick and would spoil the whole plan. Only a sincere and complete change of conduct would give the Pope the moral right to interrupt the Council and, perhaps, even to issue from Rome by means of decrees, the dogmatic decisions that were still outstanding. An internally renewed Papacy would recover the respect and love of the nations which it had largely forfeited and would enable it to brush aside considerations for the various States which only hindered and hampered its every step. In any case no good purpose was served by these considerations, for if the Emperor had a mind to come to terms with the Protestants, he would not be at a loss for plausible motives for doing so, in spite of the Council. Cervini had a prophetic vision of the rise of a renewed Papacy, and of its decline in the era of absolutism. There can be no doubt of his tremendous earnestness when he thus urged a reform; his words recall those of Domenico Capranica and Nicholas of Cusa who, after the defeat of the men of Basle, had pressed the labarum of Church reform into the Pope's hands. However, Cervini was not prepared to forgo all synodal participation in such a reform. He had read history, and so could form a mental picture of those Roman synods which were held annually during Lent and at which, as at this time in the general Chapters of the Mendicant Orders, current ecclesiastical affairs could be discussed and decided in the space of a few days and legates despatched for the purpose of holding provincial synods. The purpose of the proposed reform-convention was to lead to a revival of this ancient custom of the Roman Church. In Cervini's eyes such a gathering was no longer the worn-out tool of a past epoch but rather the opening of a new era for an internally reformed Papacy. Thus the plan for a suspension had far deeper roots than the legates' discontent with their momentary situation. That plan throws light on their conception of the relationship between Pope and Council as well as on the view of one of their number about the road that a reformed Papacy should pursue. The scheme was much more than a finely-spun ruse, but it was destined to share the fate of the plan for a translation.

Paul III viewed that plan from a purely political angle. After an

exhaustive discussion with the cardinals' commission for the affairs of the Council, and more particularly with his closest collaborator, Ardinghello, he made known, on 20 October, his approval of the suspension but refused to decree it himself. Such an intervention in the Council's self-determination, he declared, could only take place in a case of extreme necessity. Let the Council itself decree its suspension and, if possible, without fixing a time-limit ("a beneplacito"), or at least for a period of six months, if the Emperor's assent could be obtained in this way. Meanwhile it was left to the legates to assure the Council, by some preliminary measure in the sphere of reform, for instance in connection with the impediments to episcopal residence, that reform would follow in any circumstances and without delay ("in ogni modo, senza dilazione"). On Cervini's earnest pleading he made no comment.<sup>1</sup>

As in the previous August, the Pope's answer, though affirmative as to its form, was negative in actual fact because in the legates' opinion the suspension, as suggested by him, was incapable of execution. They accordingly felt that they had been completely misunderstood. Up to this time it had been their policy to represent the Pope and the Council as a unit and to deny to the latter an autonomous jurisdiction of the kind the Council of Basle had claimed in its time. To decide the suspension was an act of jurisdiction; responsibility for it, but above all the odium it would call forth, would fall on the legates, but the Pope would not go unscathed since he would be suspected of having issued orders to that effect. Moreover, in accordance with the business procedure hitherto observed, such a decision could not be taken in a general congregation but only at a Session the date of which, as well as its object, had to be made known beforehand. This would do away with the element of surprise, yet surprise was an essential condition of success. A sharp conflict, perhaps even a schism might well be the consequence, for the motive for the suspension, namely the opposition of the imperial party to the completion of the decree on justification, was not so obvious and

<sup>1</sup> A veiled rejection of the plan for a suspension is contained in Santa Fiora's letter of 20 October, *C.T.*, VOL. x, pp. 693 f., which arrived at the same time as the censures of the Roman theologians, 24 October. On 14 October Maffeo had still reckoned with the assent of the Pope, *ibid.*, p. 688, l. 15. The legates' observation in their answer of 25 and 26 October, that they had not been properly understood ("non essendo stato ben compreso il senso nostro", *ibid.*, p. 702, l. 22) was not without justification. Cervini's disappointment at the Pope's deafness to the appeal to his conscience is clearly seen in the letter to Maffeo, *ibid.*, p. 705, l. 27. In their direct report of 30 October, *ibid.*, pp. 707 ff., the legates developed the plan for attaining their end by means of a citation of the Protestants.

unequivocal as the legates had stated in their letters of the first days of October. The delaying and unco-operative tactics of the opposition could not be construed into a sufficient motive for a suspension. For the time being, therefore, the legates felt compelled to give up their plan for a suspension, but in their report of 26 October they explained that the appropriate moment might come in the not distant future, once the two decrees on justification and the duty of residence were ripe for publication. If the imperialists objected to the publication of the first decree—above all if they threatened to lodge a protest—there would be a clear and convincing motive for the suspension.

Of course even the legates themselves very much doubted whether the imperialists would let things go to an extremity which they could not but know would bring about a suspension or a translation. But even if they allowed the decree on justification to go through, another opportunity would offer itself after the Session. This would be to put on the agenda, without previous warning (*"all'improvista"*) the citation of the Protestant divines as well as of the Anglicans, and to demand an immediate decision. There was every probability that both the imperialists and the French would then insist on a delay to enable them to ask for instructions from their sovereigns, when there would be a practical certainty that an overwhelming majority would agree to a suspension. On the other hand, if the Protestants obeyed the citation, and there were reasons to think that they would, it would be possible during the three or four months which would have to be allowed them, to resolve the questions that still remained to be settled and then to bring the Council to a speedy termination.

Only the legates' disappointment at the miscarriage of their own plan for a suspension and their insuperable aversion for Trent could have deluded them into believing that so desperate an expedient was at all viable. From the first the Council had refrained from condemning the persons of the reformers and had confined itself to condemning their teaching. A citation of the Protestants would have crossed the Emperor's plan even more awkwardly than a translation, while that of the Anglicans would have met with violent opposition from the French. A citation was not the same thing as an invitation. It was unacceptable to the opposition and could not be enforced by the legates and Rome did not even consider the suggestion.

The legates' fresh proposals were still in suspense when the Bishop of Fano set himself the task of dealing with the smouldering crisis in a different, very much simpler way: this was the suspension of the Council

with the consent of the Emperor.<sup>1</sup> He started from the consideration that in the last resort it was of much greater consequence for the monarch to keep the decision on the decree on justification in suspense than to prevent a translation, for in this way, after his victory over the Protestants the door remained open for an understanding with them. The latter's presence at Trent was assuredly not the infallible means of bringing them back to Catholic unity which the Emperor imagined it was, and on the other hand so strong was the desire of the majority of the Council for a translation to Italy that a change could hardly be avoided. However, since the Emperor persisted in his opposition to a translation, the only way out of the dilemma was a suspension. An attempt must be made to convince the imperial party that for the time being this was the lesser evil and thereby obtain their assent. The Bishop of Fano's first conquest was Madruzzo who was most anxious to obliterate the bad impression he had created by his earlier threats and his display of temper. After the Prince-Bishop, the Bishop also won over Mendoza, the ambassador, who had just returned from Venice where he had been staying from 1 to 13 October. Armed with their consent, on 26 October, he laid his plans before Cardinal Santa Fiora, when he also sought to make it more acceptable by dropping a hint that a suspension could easily become a translation. In this way the big morsel would be divided into two smaller ones, which would be more easily digested. On 30 October, at Madruzzo's and Mendoza's request, the Bishop of Fano formally proposed to the legates that, with the imperial prelates' assent, they should suspend the Council for a period of six months.

The legates viewed the plan from the first with not a little suspicion. They did not think the assent of the imperial party to the suspension was at all likely, especially as its main prop, Pacheco, had not yet spoken, and

<sup>1</sup> The Bishop of Fano's mediation at the end of October: it starts with the considerations which the bishop put before Santa Fiora in his letters of 1 and 6 October, *C.T.*, vol. x, p. 672, n. 3; the aim of the letter of 9 October, *ibid.*, pp. 677 ff., is chiefly the restoration of Madruzzo's reputation in Rome. The plan for a suspension with the approval of the imperialists is only unfolded on 26 October, *ibid.*, pp. 703 ff. The legates' report on their negotiations with the Bishop of Fano on 30 October, *ibid.*, pp. 713 f., is clear evidence of the superiority of their tactics in negotiation. For the question of expenditure I may refer the reader to my previously mentioned paper in *Münchener Theol. Zeitschrift*, IV (1953), pp. 119 ff. On the negotiations with Mendoza on 9 November, see the legates' report in *C.T.*, vol. x, pp. 720 ff.—Although the Bishop of Fano was back in Trent by 12 September, *ibid.*, p. 649, n. 9, he had not taken part in the October debate on account of illness; his views on the September draft had been communicated to Cervini in private, vol. I, p. 574, ll. 23 and 28. The mission to the imperial court which had been planned at first (see Gianbattista Cervini on the subject in vol. x, p. 906, l. 22) was not despatched because it was recognised that it was hopeless.

even more improbable was the Emperor's consent. But not a word of theirs betrayed their feeling that the Bishop of Fano's proposal was an ideal solution for them: it made them a present of what they wanted, provided it was followed by action. But in their opinion this was highly problematic as long as Pacheco and the Emperor had not spoken. They replied very coolly that they saw perfectly well that a suspension would be in the interest of the imperialists whereas the Pope, now as before, regarded a translation as the best solution. The Council could not be retained at Trent beyond St Martin's day (11 November). If there was to be a suspension, the decree on justification must be completed first. They also mentioned another point. They were aware of the Emperor's anxiety for the continuation, beyond six months, of the subsidies the Pope had agreed to pay him. They were determined to take advantage of this fact—it was grist to their mill. They would make it clear that the Pope was not in a position to carry indefinitely the financial burden of two undertakings—the war and the Council. The cost of the Council mentioned by them—50,000 to 60,000 scudi annually—was decidedly exaggerated; on the other hand it was quite true that the Pope's expenditure was steadily on the increase. The legates had actually been obliged to raise a loan at Venice to enable them to continue to assist needy prelates.

There can be no uncertainty about the legates' motives. If they made difficulties it was for the purpose of wringing from the opposition party the greatest possible concessions, above all the one which was Cervini's main concern—the publication of the decree on justification. But this was precisely what the imperialists were most anxious to prevent, even by a suspension, if there was no other way. The nearest alternative—criticism of the September draft—had led nowhere. They accordingly fell back upon another plan. On 9 November, by order of the Emperor, Mendoza suggested to the legates that the draft should be submitted, for their observations, to the most renowned Catholic universities—Paris and Louvain (Salamanca, which was in the Emperor's mind, Mendoza passed over); yet in the same breath he protested against the accusation that it was the Emperor's intention to prevent the promulgation of the decree.

The theological Faculties of Paris and Louvain, following the precedent of Cologne, had repeatedly condemned Lutheran doctrines and had thus exercised a teaching authority which they enjoyed by prescription. They had done so in the very first years of the schism and again recently at a time when the Council of Trent had already been

convoked—Paris in 1542 and Louvain two years later—by means of a double series of censured articles (cf. VOL. I, pp. 406 f.). These articles had been laid before the Council and masters from both Faculties had taken part in the conciliar discussion. A consultation of the universities as corporations, at this advanced stage of the debate, would have created the impression that the Council wished to borrow from these bodies an authority it did not itself possess. The gravest misgivings were inspired in particular by the proposed consultation of the Sorbonne, on account of its adherence to conciliar theory. For these reasons the legates categorically rejected Mendoza's suggestion ("no'l faremmo mai"), not only for the reasons mentioned, but likewise because they saw in such a consultation yet another delaying manoeuvre. The suggestion strengthened the scepticism with which they had viewed the Bishop of Fano's mediating action from the beginning.

Mendoza mentioned yet another wish of the Emperor. This was the extension of the period during which the Pope would provide his own soldiers' pay. The legates' answer was that this matter lay outside their province. They repeated what they had told the Bishop of Fano: the war and the Council together were too heavy a financial burden for the Pope to bear indefinitely. They felt that here they had found a weak spot in the Emperor's position, one from which they might roll back the front line of the imperial opposition party.

At this time Trent was the point of the sharpest friction as well as the closest contact between the papal and the imperial policy. While the intervention of the Bishop of Fano and of Mendoza was proceeding in that city, the Pope, in his directions to the legates under date of 3, 8 and 16 November, maintained his decision of 20 October, namely, suspension by conciliar decision, if possible with the assent of the imperial party, otherwise without that assent. He evidently did not attach any importance to a previous completion of the decree on justification. On the other hand the Pope insisted that the decision to suspend the Council, even if a definite time-limit were fixed, must not automatically put him under obligation to resume the negotiations at Trent: he must, in the last resort, be left a free hand. This could be done by means of some additional clause as, for instance one about the participation of the Germans. He refused to be dissuaded by the legates' hesitations and misgivings but seriously reckoned with a suspension being brought about. This he would change, at a later date, into a translation.



Such optimism seemed to be justified at the moment. The Bishop of Fano's mediating intervention was taken up and carried a step further by Cardinal Farnese, its upshot being an agreement with Mendoza, the most important article of which was the imperialists' assent to the suspension.

Farnese arrived at Trent on 14 November on his return from the German theatre of war. He had been informed of the Bishop of Fano's plans by that prelate himself as well as by Madruzzo who had gone as far as Brixen to meet him. It is impossible to ascertain accurately to what extent he had been previously informed of the legates' view by Severoli, the promoter of the Council, whom the legates had sent to meet him and who had got almost as far as Hall, near Innsbruck.

On 15 and 16 November Farnese had two long conversations with the legates and with Mendoza, to which Madruzzo was only invited towards the end while Pacheco was completely excluded. Agreement was reached on the following three points:<sup>1</sup>

<sup>1</sup> The agreement of 16 November: Santaflora's directives of 3, 8 and 16 November, *C.T.*, VOL. x, pp. 714 f., 719 f., 724 f.; it is most significant that on 17 November Maffeo transmitted to the legates a wish of the commission of cardinals for the Council, *ibid.*, pp. 728 f. In this way that body intervened directly in the conduct of the Council. Most of Farnese's suite were already at Trent on 12 November; "talche le hostarie tutte sono cosi piene, che penso mi sarei rimaso questa notte con li miei cavalli senza allogiamento, se non havevo il ricapito in casa di Mons. di Fano", writes L. Strozza on 12 November to Cardinal Gonzaga, State Arch. Mantua 1409, or. Farnese's personal report on the agreement with Mendoza, *C.T.*, VOL. x, pp. 726 ff.; Massarelli's *Diarium III*, *C.T.*, VOL. I, p. 585, shows that Madruzzo was only called to the second conference in the afternoon of 16 November and that Pacheco was only informed of the agreement in the course of the supper which he gave for Farnese, the legates and Mendoza. The legates' report is extraordinarily reserved, VOL. x, pp. 730 ff. From the first the legates felt that the Emperor was not likely to ratify the treaty, *ibid.*, pp. 732, l. 28; 734, l. 23. Cardinal Ardinghello was desirous of getting a still clearer summary of Cervini's objections to the agreement so as to enable him to lay them before the Pope, *ibid.*, p. 914, l. 11. The suspension *ad beneplacitum Papae*, which Santa Fiora described as desirable on 8 November was not capable of execution in the opinion of the legates, *ibid.*, pp. 734 f. The idea of putting off the Session for six months and of then concluding the Council, which Cervini explained to Maffeo on 23 November, *ibid.*, pp. 736 f., takes up once more a notion of Maffeo's, *ibid.*, pp. 694, n. 3; 697, l. 5, which the cardinal had rejected at the time as impracticable, *ibid.*, p. 706, l. 36. The canonistic objections to a decision for the suspension of the Council by an exclusively Italian majority, *ibid.*, pp. 737 f.—That, in spite of secrecy, information about the agreement seeped through, appears from an *Avviso di Mantova* of 19 November, State Arch. Modena, *Avvisi* 3: "Che si trattava di suspenderlo fin al mese di Aprile; . . . pareva che Don Diego fosse per assentirvi, desiderando l'Imperatore che non si termini quel articolo della giustificatione se non pleno concilio. . . . Si tiene per certo che si sospendera et ognuno se n'andera a casa sua fin al tempo di ritornarvi, dalli vescovi et prelati spagnoli (infuori), quali S.M<sup>ta</sup> vuole che restino in Trento, accioche non paia che'l concilio sia serrato."

(1) The decree on justification is to be completed, but in view of the situation in Germany, it will not be published. There is nothing to prevent the bishops and the generals of religious Orders in Catholic countries from making it the norm of their preaching. Abandonment of the consultation of the universities was not mentioned—it followed as a matter of course.

(2) Since, by the postponement of the publication of the decree on justification, the completion of the decree on the duty of residence is also made impossible—in view of the parallelism of dogma and reform—the Pope is to publish a Bull on the duty of residence and the removal of the impediments to it. This Bull will have to be approved by the Council. The concessions of 1541 are to form the basis of the Bull.

(3) The Council is suspended for a period of six months in order to prevent its threatening dissolution.

The first point was a substantial concession to the Emperor though it took into account the legates' wish that if they were not to be allowed to reap the fruits of their labours, they might at least secure them. In the second point the Curia took up once more the conception of reform which it had abandoned at the end of April at the suggestion of the legates, that is, a reform by the Pope with the subsequent approval of the Council. The suspension of the Council with the assent of the imperial party met the ardent wish of the legates and the Italian majority to get away from Trent. The question as to the manner in which this was to be effected was left open. The youthful and enterprising papal nephew and the shrewd imperial envoy had apparently contrived a solution which seemed advantageous to both parties while it eased the tense atmosphere of Trent and caused the optimism of the Bishop of Fano to triumph over the scepticism of the legates. At least this was the picture that emerged from Farnese's report. The legates' view of the situation was much more sober. They were formally partners in a transaction with the accredited envoy to the Council, but while they themselves were in possession of full powers, Mendoza could not know how the Emperor would react to the suspension. It was accordingly agreed that the arrangement would require the approval of both sovereigns. Probable as was the Pope's, that of the Emperor was doubtful. The legates had taken their precautions against an undue delay in the ratification: in that event they would consider themselves no longer bound by the contract. If it was sanctioned, they renewed the proposal made by them on 9 October, namely that the suspension should not be decided on the basis of a proposal emanating from the

Council but should be decreed by a papal Bull, in fact they even joined to their report of 17 November a draft of the motivation of such a decree. On the other hand, in the event of the Emperor's refusing to ratify the agreement—a possibility with which they seriously reckoned—the Pope should use the soldiers' pay which the Emperor wished him to contribute, as a trump card to secure two concessions, namely the monarch's assent to the publication of the decree on justification and an early conclusion of the Council. As for the line they were then to take for the future conduct of the Council at Trent they were as yet without instructions. Should the two decrees be published regardless of the Emperor's wishes and the further conciliar problems pursued, with a view to an early termination of the Council? Or should the Emperor's wishes be met and the Session put off for a period of six months whilst in the meantime the legates prepare the still outstanding decrees, so bringing the Council to its definitive conclusion?

The more they thought of it, the more difficult the suspension began to appear to them. The most ready motive for a suspension—the imperialists' opposition to the completion of the decree on justification—could scarcely be alleged after the November agreement, were it only that in the course of the November debate, and contrary to their conduct in October, the imperial prelates had refrained from any critical remarks. On the other hand if with the help of a majority exclusively made up of Italians they decreed a suspension, on the ground of the unsuitability of the locality of the Council, they ran the risk of the minority declaring itself to be the *pars sanior* and so provoking a schism. As time went on they themselves became increasingly averse to their own plan for a suspension but if they dropped it they would have to face another winter at Trent, for them a disturbing prospect. While the question of a translation remained undecided, Rome had taken no notice of the legates' repeated request for their recall and only after it had come to nothing, at the beginning of October, did the Pope consider whether to replace Pole, whose recall had been decided, by Morone, and perhaps Del Monte by Sfondrato who, as a jurist, was undoubtedly well suited for such a post. Cervini alone was regarded as irreplaceable. After that nothing more was heard of the appointment of new legates. The reason was that the Pope wished to see how the plan for a suspension would fare. If it had to be dropped, the question would arise once more. Disappointed as they were by the Pope's treatment of their proposals, the legates renewed their previous demands for leave to resign. These requests recur in their reports with the regularity of the refrain of a

popular ditty. "I am an old man", Del Monte wrote on 30 October, "and I feel, without being told by the doctors, that this cruel climate is shortening my life. I am losing my sight and hearing; neither divine nor human law obliges me to endure this martyrdom any longer." In the legates' report of 19 November, hence after the agreement, we read: "We wait for only one piece of information, namely that His Holiness has taken pity on us and has replaced us by two other legates, more adequate and more efficient."

Since mid-October Cervini and Del Monte were the sole bearers of the legatine authority for on 16 October Pole had been relieved of his duties, at his own request. The bad state of his health, on account of which he had left Trent on 28 June, was not the only motive, and certainly not the decisive one for his prolonged absence and his final request for leave to resign. He did not contest the oecumenical character of the Council but he questioned the opportuneness of a dogmatic decision on justification in view of the assembly's actual composition and the small attendance. He was not the only one to hold this opinion—it was shared by a number of prelates, most of them sympathisers with the Emperor. His second motive was a wholly personal one. He had already criticised the July draft on the ground that its authors, out of an exaggerated anxiety to avoid anything resembling the phraseology of the Protestants, had produced a document that was not sufficiently scriptural. He also found fault with the September draft because the remission of sin through the imputation of the justice of Christ was pushed too far into the background, so much so that Seripando had asked: "By what means then are we intrinsically (*intrinsice*) and really (*re ipsa*) justified?" It was evident that in this question of the doctrine of justification Pole, whose loyalty to the Catholic Church had caused him to go into exile and to incur the hatred of Henry VIII, stood nearer to Luther than any one of the adherents of a twofold justice. Pietro Carnesecchi's subsequent statement before the Inquisition that Pole's closest friends, Vittoria Colonna, Aluise Priuli and Marcantonio Flaminio had assured him with one accord that his resignation from the direction of the Council was to be traced back to a divergence on the doctrine of justification, is fully borne out by the sources. However, at this time no one molested him on that account. On 17 November he informed his former colleagues of his arrival in Rome, where he promised to support their request for their recall.<sup>1</sup>

<sup>1</sup> The most important source for Pole's motives for resignation from the post of legate is his letter of 28 August to Morone, *C.T.*, vol. x, pp. 631 f., in which the

Yet another leading figure in the affairs of the Council left Trent for Rome at this time, namely the imperial ambassador, Diego Hurtado de Mendoza. On 17 November he escorted Cardinal Farnese as far as Venice; on the thirtieth he returned to Trent for a few days; on 3 December he left the city of the Council and after a detour to Piombino reached Rome, where he took up his new duties as ambassador to Paul III.

During the whole of the winter of 1545-6, Mendoza had been unable to attend to his office as conciliar envoy which he combined with his mission to the Republic of Venice, for a fever accompanied by violent fits of depression had kept him at Padua. To fill the gap thus created Francisco de Toledo had on 15 March 1546 assumed the role of representative of the Emperor jointly with Mendoza. On 25 May Mendoza reappeared at Trent, restored in health. He set himself at once to influence the conciliar proceedings in the sense of the imperial policy, urging that dogma should be deferred in favour of reform. During the crisis in connection with the plans for a translation in July

cardinal speaks much more openly than in his earlier instructions for the Abbot of Sta Salute, *ibid.*, p. 623, n. 5. Pole's attitude to the September draft, VOL. XII, pp. 674 ff.; Seripando's question, *ibid.*, p. 675, l. 17. It is not certain whether the treatise on the twofold justice, *ibid.*, pp. 671-4, arrived at Trent before 13 October at the same time as these censures. The letter recalling Pole, 16 October, VOL. X, p. 701, n. 1, naturally only speaks of his "indispositione", which was a fact, *ibid.*, p. 685, n. 3. With this document in his possession Pole sent Priuli to Trent on 23 October to inform his colleagues, *ibid.*, p. 701; VOL. I, pp. 582, l. 15; 583, l. 14. On 17 November, writing from Rome, he promises to promote the "desiderio di VV.SS. R<sup>mi</sup>", that is, their recall, VOL. X, p. 729, which, according to *ibid.*, p. 913, l. 11, he actually did. Carneseccchi's statement, in *Miscellanea di storia Ital.*, VOL. X (1870), pp. 549 f., reprinted in *Carteggio di Vittoria Colonna*, ed. E. Ferrero-G. Müller (Turin 1889), p. 342; similar statement in "Compendium processuum" in *Arch. della Società Rom. di storia patria*, III (1880), pp. 283-6, reprinted in part in *C.T.*, VOL. XII, p. 671, n. 2. H. Languet's assertion in *Epistolae secretae*, VOL. II (Halle 1699), p. 77, that Pole had been recalled by the Pope because of his divergent views on justification is without foundation. W. Schenk, *Reginald Pole* (London 1950), pp. 113 f; has justly protested against the notion that Pole's illness was a diplomatic one, but he does not sufficiently take into consideration the other motive in the doctrinal sphere. This statement of the facts is not at variance with the other circumstance that after the promulgation of the decree the cardinal accepted it, as we gather from the tract written in the year 1547 but only printed after his death (1569), with an English translation of the Tridentine decree; cf. J. Crehan, "Saint Ignatius and Cardinal Pole", *Arch. hist. Soc. Jesu*, xxv (1956), pp. 918 f.—Maffeo's information about the eventual nomination of Morone and Sfondrato as legates, *C.T.*, VOL. X, p. 670, l. 10, is confirmed by Gianbattista Cervini, *ibid.*, p. 907, l. 32, but anyone talking of Cervini's recall "saria tenuta una bestia", for, he added on 3 November, in that case the Council would be "senza testa", *ibid.*, p. 409, l. 24. The expressed wish of the imperial party for his recall only strengthened the Pope's determination not to recall him, *ibid.*, pp. 913, l. 33; 915, l. 13. Cervini's and Del Monte's request for leave to resign, dated 30 October and 19 November, *ibid.*, pp. 711, l. 14; 735, l. 5.

and August 1546, there were those who felt that personally he was more accommodating than the Emperor. This impression was a delusion. Mendoza's manner was obliging, but with regard to the actual matter he did not in any way depart from his master's political line, not even when on 16 November he concluded the agreement with Farnese by which he secured at least one advantage for the Emperor—a respite. By appointing him to the post of Roman ambassador in the place of Juan de Vega who, in the monarch's opinion, was not tough enough, Charles V proved that he regarded him as a reliable executor of his will.

Mendoza lives in the history of the Council of Trent not only as imperial ambassador but likewise as one of the most powerful influences in that gathering. A Spanish grandee, sprung from an ancient noble family, Mendoza was an accomplished humanist with a passion for collecting books and manuscripts. Even before the opening he had had his rich library taken to Trent. It included many manuscripts of the Greek classics and Church Fathers, printed books on every branch of knowledge and, last but not least, many Lutheran works which he had presumably acquired in Venice. Mendoza's library was a substitute for the conciliar library which had failed to materialise; it also became a centre of attraction for the humanists at Trent who found there the tools they needed for their work. With a view to shortening the time of waiting, the humanists had formed an academy under the patronage of Aristotle. Mendoza took a personal share in their pursuits. Juan Páez de Castro, "that representative of the purest type of Spanish humanism", relates how the ambassador used to encourage and spur him on when his interest in the study of Aristotle's *Mechanics* tended to flag. The love of knowledge burnt bright in the breast of this diplomatist who with one part of his being belonged to the republic of scholars. Even during the periods of greatest tension, when the Emperor made Cervini feel his anger, Mendoza did not scruple to continue his scholarly intercourse with the legate. He lives in the history of European intellectual culture not only as the historian of the war of Granada, but likewise and even chiefly, as the founder of the Greek section of the library of the Escorial with its irreplaceable manuscript treasures.

One of his contemporaries has relieved us of the task of delineating Mendoza's character. Giovanni della Casa, his diplomatic colleague at Venice, had time and opportunity to become thoroughly acquainted with him. Though an adherent of the French party, and as such his political opponent, Della Casa has paid unstinted homage to the high-minded, upright and humane character of this true nobleman: "His

easy-going manner", he writes, "hides his circumspection. He sets great store by dignity of bearing, but displays none of that ostentation by which his nation so often irritates us. He is known to be as good as his word both in his official capacity and in his private life."<sup>1</sup>

When in December Francisco de Toledo left the city of the Council for Florence, for the purpose of attending to the financing of the war against Schmalkalden, the only representatives of Charles V at Trent, in the last days of 1546, were Cardinals Pacheco and Madruzzo. They had the assistance of the Spanish Crown jurists Quintana, Vargas and Velasco. When the Emperor refused to ratify the November agreement on the suspension they were unable to prevent the completion and publication of the decree on justification.

<sup>1</sup> In the great biography of Mendoza by González Palencia-E. Mele, *Vida y obras de Don Diego Hurtado de Mendoza*, 3 Vols. (Madrid 1941-3), C.T., has unfortunately not been drawn upon, for Mendoza's stay at Trent. Pandolfini, Cosimo's agent, repeatedly reports to the duke about the illness which kept Mendoza away from the Council during the winter of 1545-6; thus on 9 December 1545, State Arch. Florence, Med. 2966, fol. 52<sup>r</sup>: "Il S<sup>r</sup> Don Diego per quello intendo, ha ragunato alcuni medici, accioche lo consiglino, se pare loro che debbia andare a Trento rispetto alla sua indispositione, et hanno risoluto di no." Later he added: "è molto male conditionato." On 8 May 1546 Pandolfini reports (*ibid.*, fol. 268): "Il S<sup>r</sup> Don Diego duo di fa venne da Padova assai ben rihavutosi". The two interruptions of his stay at Trent at the end of July to the beginning of August and the beginning of October, see C.T., VOL. I, pp. 561, l. 39; 566, l. 27; 577, l. 1; 579, l. 21; his final departure on 3 December, p. 590, l. 11. The Codex of St Cyril mentioned in C.T., VOL. I, p. 570, ll. 23 and 28 must have contained the seventeen books *De adoratione et cultu in spiritu et veritate* (cf. Bardenhewer, *Geschichte der altkirchlichen Litteratur* (Freiburg 1903), VOL. IV, pp. 34 f.). For Mendoza's library: Ch. Graux, *Essai sur l'origine du fonds grec de l'Escorial* (Paris 1880), pp. 165 ff.; thirteen letters of Juan Páez de Castro († 1570) to the historian Zurita, from 6 July 1545 to 30 May 1547 in D. J. Dormer, *Progresos de la historia en el reyno de Aragon* (without place or date), pp. 461-79; see also below in CH. XII. Mendoza's portrait in Della Casa's letter to Farnese of 25 December 1546, Bibl. Ricci I, fols. 304<sup>v</sup>-305<sup>r</sup>, or: "D. Diego è di nobile animo et di natura benigna, per quanto io posso giudicare; . . . animo veramente nobile et sincero; . . . è persona che sotto forma di negligente è ben sollecito et accorto, et è molto magnifico senza quella pompa, con la qual la sua nation suole alle volte recar fastidio alla nostra, et ha nome di Signor di sua parola, cosi nel negotio publico come nel privato."

## CHAPTER VIII

# Completion of the Decree on Justification in the Sixth Session

THE draft of the decree which the legates submitted to the general congregation on 5 November (the November draft) linked up, as to its form, with Seripando's preliminary drafts for the document submitted by him in September—the separation of the doctrinal chapters from the canons was maintained. To each new concept a separate chapter was assigned so that their number rose from eleven to sixteen. Thus, for instance, the previous cap. 8 became cap. 10, 12, and 13. Some transpositions resulted in a more logical sequence of ideas and facilitated a comprehensive view of the subject matter. Cap. 9, on the observance of the commandments, became cap. 11 and was inserted after the teaching on the growth of justifying grace. The wording of the decree was plainer and clearer than that of the September draft. A comparison of the contents of the two drafts submitted to the Council with Seripando's preliminary draft of 31 October, brings to light three alterations which resulted in part from the debate on the two questions and in part from a final recasting of the draft by Del Monte, aided by the Bishop of Bitonto but without the knowledge of Cervini, shortly before the beginning of the congregation.<sup>1</sup>

<sup>1</sup> General debate on the November draft and the two articles: The draft, *C.T.*, VOL. V, pp. 634-41; the protocols of the fourteen general congregations from 9 November to 1 December with the *Summarium*, *ibid.*, pp. 642-85. Their essential result has been accurately reported by Severoli, *C.T.*, VOL. I, p. 108. The following votes of Seripando and Costacciaro have been preserved: Seripando, *C.T.*, VOL. V, pp. 666-76; Costacciaro: V. Heynck, "Das Votum des Generals der Konventualen Bonaventura Costacciaro vom 26 November 1546, über die Gnadengewissheit, *Franziskan. Studien*, xxxi (1949), pp. 274-303, 350-95 (with an excellent introduction and commentary); J. Olazarán, "Nuevos documentos Tridentinos sobre la justificación", *Archivo teológico Granatino*, xii (1949), pp. 47-136 (in addition to the text on the certitude of grace this article also gives the two other parts of the vote on the twofold justice and the draft of the decree). The paper of the Carmelite general Audet on the certitude of grace, *C.T.*, VOL. XII, pp. 646-51, is not a tract but part of his vote of 29 November as is rendered evident by the address to the Fathers and the agreement of the quotations (VOL. V, p. 677, l. 1. together with VOL. XII, p. 651, l. 2). The vote of Abbot Isidoro Chiari, published by J. Hefner, *Voten vom Trienter Konzil* (Würzburg 1912), pp. 22-33, after a Venetian edition of 1548, and again in *C.T.*, VOL. XII, pp. 715-22,



If some traces of the doctrine of a twofold justice had remained in the September draft, they were expunged from the November draft, in consequence of the unequivocal attitude of the theologians in the October debate. With a view to excluding the notion that Christ's justice was the formal cause, or part cause, of justification, in the place of, or besides, inherent justice (*iustitia inhaerens*), cap. 8 enumerates the causes of justification (*causae iustificationis*): the final cause (*causa finalis*) is God's glory and man's eternal life; the efficient cause (*causa efficiens*) is God's mercy who accepts the satisfaction offered by his Son; the meritorious cause (*causa meritoria*) is his Passion; the instrumental cause (*causa instrumentalis*) is Baptism; while the formal cause is the one justice bestowed by God whereby man is intrinsically renewed and rendered objectively just. To the assertion that sanctifying grace is the one formal cause of justification corresponds cap. 16, the final one which stated the doctrine of merit. In his preliminary draft of 31 October Seripando had indeed rejected the idea of a second application of Christ's justice in the final justification, but he had made the merit-value of the good works of the justified depend on "participation in the merits of Christ" and "the energy derived from this ever-flowing spring". When the justified appears before God's judgment-seat, Seripando bids him appeal to God's mercy and put his trust in the merits of Christ. The November draft, linking up with the doctrine of the relation of Christ, the Head of the body, with its members, which had been elaborated in the October debate, stated that in the final justification the justified "lacks nothing of what is required for a perfect

was not delivered in the general congregation. The statements by the Bishops of Verona, Worcester, Sinigaglia and Fano on recourse to God's mercy and the justice of Christ, in VOL. V, pp. 645, ll. 45 and 51; 648, l. 10; 650, l. 14; 651, l. 9; Seripando's conception of the relation between the two justices and of Christ's intercession, *ibid.*, pp. 669, l. 1; 667, l. 40; also his answer to the arguments of the opponents, VOL. XII, pp. 668, f.; his criticism of the vote of the Bishop of Fano, VOL. V, p. 641, n. 1; the effect of Seripando's vote, VOL. I, p. 416, n. 1. Vote of Abbot Luciano degli Ottoni, 23 and 24 November, VOL. V, pp. 659 f. Giacomelli's tract against the *duplex iustitia*, presented to Cardinal Farnese in mid-November, VOL. XII, pp. 703-14, is, as Pas remarks in *La doctrine*, p. 26, copied from Salmeron's vote of 16 October. From the legates' report of 6 and 8 November, C.T., VOL. X, pp. 716, l. 16; 717, l. 21, we learn that they reckoned with a prompt acceptance of the November draft, when they would at once begin the debate on residence. According to VOL. X, p. 718, l. 7, Cervini was already concerned about it; even the date of the Session was already being considered, *ibid.*, p. 720, l. 14. On 13 November they reckoned with the conclusion of the debate on the 15th, *ibid.*, p. 723, l. 16; on 22 November they hoped to finish in two days, *ibid.*, p. 735, l. 33, but in reality it went on until 1 December, *ibid.*, p. 745, l. 18. Stella's warning against a debate on the certitude of grace, *ibid.*, pp. 742f.—Literature on the certitude of grace, in Heynck, and also in A. Stakemeier, *Heilsgewissheit*, pp. 145-61.

fulfilment of God's law", so that "he has merited eternal life", for "God will render to everyone according to his works".

This alteration, the work of Del Monte and the Bishop of Bitonto, touched Seripando's religious sense to the quick and drew a strong protest from him. "The whole passage", he wrote in his diary, "looks like the work of a man who does not know what he is talking about or who is haunted by the fear of falling into the errors of the Lutherans, not like that of a theologian who boldly fights against them in the power of the spirit. We would fight them far more effectively if we were less lavish and generous in extolling good works, of which there is a remarkable scarcity among the Christian people at this time, while, on the contrary, we are niggardly and sparing in proclaiming God's grace, the riches of which, St Paul declares, have been poured out upon us superabundantly (Eph. 1, 8). The way to crush these people (the Lutherans) is for us to grow daily richer in good works and to open our mouths only to extol God's grace and mercy."

A second alteration, seemingly a slight one but in reality a weighty one, betrayed its author even more clearly. Seripando's preliminary draft had explained the formula "justification by faith through grace without works" as meaning that "faith is the origin of all true justice" (*a fide . . . omnis vera iustitia oriatur*). The November draft read: "We are said to be justified by faith because the preparation for justification begins with faith" (*quia in ea, quae ad iustificationem est dispositio, prima est fides*). "What do I hear?" Seripando wrote in the margin, "All that we read in the Scriptures about justification by faith is to be understood of the disposition?"

The third alteration must likewise be traced back to Scotist influence. In cap. 9 on the certitude of grace, the reformers' teaching was condemned as before, but the conclusion read thus: "generally" (*communiter*) "man does not know whether he is worthy of God's love"; hence can. 14, beside the Lutheran doctrine of the obligation of believing in one's own justification, also condemned the following proposition: "The justified know generally (*communiter*) that they are in God's grace." The term *communiter* used in both places, was ambiguous. If rendered by "as a rule" it might be accepted by the Thomists, but if it was understood to mean "in most cases", room was left for the Scotist teaching of the certitude by faith, for the toleration of which the Franciscan school had been fighting ever since the presentation of the July draft. As it stood, the expression was a concession to the Scotists.

These three doctrinal corrections remained a subject of discussion until the end of the debate on justification. The number of the canons was raised from twenty-one to thirty-one. In compliance with a desire for a better ordering of them, repeatedly voiced in the course of the October debate, they were co-ordinated with the doctrinal chapters (e.g. can. 8-10 with cap. 7 on the *sola fide* teaching; can. 17-20 with cap. 11 on the keeping of the commandments), though not altogether consistently (can. 12 which appertains to cap. 12, on the certitude of predestination, is placed among the canons about the certitude of grace which correspond to cap. 9).

A comparison of the November draft with the decree finally accepted in the sixth Session reveals a substantial agreement between the two documents as to form and content. The November debate and the work on the text which went on throughout the month of December, produced a number of small changes of detail while the substance remained unaltered: Massarelli's Forms IV and V are no more than a development of the November draft.

In the fourteen general congregations (9 November to 1 December) devoted to the discussion of this draft, many of the Fathers were less concerned to criticise the text than to discuss the two questions which had been pending since October of a twofold justice and the certitude of the state of grace. We begin with them, for though they no longer seriously affect the shaping of the decree, they retain their importance for its understanding.

The doctrine of a twofold justice formulated as implying the necessity of a second application of Christ's justice in the final justification was generally rejected. The coadjutor of Verona and the Bishops of Worcester and Sinigaglia showed, somewhat shyly, a certain amount of sympathy with Seripando's notion, but the Bishop of Fano alone came close to him when he declared: "We must trust in both justices, our own and Christ's, and in the former for the sake of the latter." He too rejected a second application but insisted that the connection of the two justices as elaborated by himself may, and indeed must, work itself out psychologically, that is in one's personal devotional life. His vote improved the climate of the debate but did not alter the result. Only a few voices were heard in favour of a formal rejection of the doctrine of a twofold justice, among them those of the Archbishop of Sassari and the Bishop of Belcastro.

When, on 26 November, Seripando rose to deliver his great discourse, which was to continue even into the congregation of

27 November, he was well aware that there was no prospect of the basic ideas of his doctrine of justification being embodied in the decree. He was content to fight for two things—recognition of his own orthodoxy and toleration for his personal piety. The first objective he secured with most of his listeners: “everyone applauded him”, Severoli notes. For the defence of his devotional attitude—trust in God’s mercy for Christ’s sake, besides our personal merit—he appealed not only to St Augustine, St Bernard and St Thomas, but likewise to the liturgy. “Does not the Church”, he asked, “pray thus at the obsequies of the dead: ‘Enter not into judgment with thy servant, O Lord, for no man is justified before thee, unless thou grant him remission of his sins?’” He pleaded almost desperately to be understood by the theologians of the different schools. In a private conversation with the Franciscan Antonio de la Cruz, Bishop of the Canary Isles, he had tried to find an approach to the Scotists for which, as we have seen, a starting-point was actually in existence, but the attempt proved a failure. All the more eagerly, therefore, did he snatch at the connecting link which he thought was provided by the discourse of the Bishop of Fano and the maiden-speech on 24 November of the newly-elected general of the Dominicans. Francesco Romeo di Castiglione actually denied that in the final justification two justices had to be considered, but he also declared emphatically that inherent justice originates in, and derives from, Christ’s justice. Seripando took up these notions which had already been put forward by the Bishop of Fano. Our justice—once again described as justice of works (*iustitia operum*)—and Christ’s justice are two distinct factors but as intimately connected as are cause and effect, as the ray of light and the sun. To rely on the former is to claim also the latter. The just man lives in a permanent dynamic relationship with Christ, the head. Christ was not content to make for man a perfect satisfaction and to acquire merit for him by a series of never-to-be-repeated acts. In the state of glory, which is his present condition he never ceases to intercede with the Father on behalf of the just and secures for them a favourable judgment. This intercession of Christ in glory is a new act of divine mercy and an effect of Christ’s justice without there being a second application of that justice. In consideration of Christ’s intercession God acts as a merciful judge towards the just bound to him by grace and rewards their works with eternal life in spite of the imperfections that cling to them.

To secure a place for this concept in the decree Seripando proposed two additional clauses to cap. 16: (1) “If a man is conscious of not

having acted with such fervour of charity as to have complied with the commandments of God and thereby merited eternal life, or if he is in doubt about it, let him repent and call upon God's mercy for the sake of the merits of Christ's Passion." (2) "Let a man keep before his eyes the strict judgment of God and in a contrite spirit have recourse to his mercy for the sake of Christ's merits." These two additions were actually "a net full of big fishes". Their fate will presently demand our attention.

The answer to the second of the two questions—the one on the certitude of grace—was left undecided as in the October congregation of theologians. How was it that in point of fact the Council could not get away from this question? The decision of 28 August, to condemn only the Lutheran certitude of salvation, had never been reversed. That this question remained a subject of controversy literally up to the eve of the Session was not only due to the fact that the numerically strong and influential Scotist school, with which Del Monte was in sympathy, offered the utmost resistance to any formulation of the decree that might be construed as a condemnation of their teaching, it was also due to a feeling that the condemnation of the Lutheran certitude of salvation presupposed a clarification of their own, the Catholic standpoint.

Severoli was right when he observed that the Spaniards, headed by Pacheco, were practically unanimous in their rejection of the possibility of a certitude of faith in respect of the state of grace. Their chief motive was undoubtedly their anxiety to avoid any kind of approximation to Luther's teaching. For the rest, their attitude was in keeping with Thomistic teaching, but the example of the Bishop of the Canaries shows that it was not exclusively determined by loyalty to a school. They were fully justified in regarding the term *communiter* in cap. 9 and can. 14 as ambiguous, while their wish to see it replaced by the unequivocally Thomistic expression *communi lege* (as a general rule) did not close the door to the possibility admitted by everybody that such a certitude of grace may be granted through a private revelation.

The champions of the possibility (not the necessity) of a certitude of the state of grace derived from faith were not exclusively recruited from the Franciscan camp. The Dominican Ambrosius Catharinus was of opinion that by a special gift of faith (*fides particularis*) man may obtain a certitude of facts—hence in the present instance, of his being in a state of grace. The two Benedictines Luciano degli Ottoni, Abbot of Pomposa near Ferrara, and Isidoro Chiari, Abbot of Pontida

near Bergamo, sided with the Scotists though for a different reason. According to Luciano the just man is actually bound to believe that he will attain eternal life.

The chief event in the course of the debate on the certitude of grace was the vote of the general of the Conventuals, Bonaventura Costacciaro, delivered on 26 November. Previous to his election as general Costacciaro had been regent of the houses of study of his Order at Padua and Venice. His high standing as a theologian, which Cervini recognised by seeking his opinion on the September draft, was confirmed and further enhanced by the comprehensive exposition and defence of the Scotist standpoint which he submitted. His first aim was to prove that his school rightly appealed to Scotus; at any rate it did not contradict him, as, not without cause, it had been alleged. No less important was it for him to furnish proof that the Scotist conception had nothing in common with the Lutheran certitude of salvation and was not attacked by the Bull *Exsurge* and the censures of the Universities of Paris and Louvain. In his view it followed a middle course between two extremes, the Lutheran and the Thomistic teaching. The virtue of the sacraments of Baptism and Penance, in which every Christian is bound to believe, gives to the adequately disposed recipient a certitude of his being in a state of grace which stems from faith. The obvious objection that it is precisely of this adequate disposition—hence of the prerequisite of this kind of certitude of faith—that there can be no certainty, he counters with the axiom—"To him who does what in him lies God does not deny his grace." God does not demand from the sinner a contrition of a determined intensity, the adequacy of which could be in no doubt; he only requires that sin should displease the sinner, in other words that he should have that imperfect contrition which Gabriel Biel had watered down to a mere "putting no obstacles in the way" (*non ponere obicem*). The virtue of the directly operative sacrament (*ex opere operato*) perfects the inadequate disposition and procures for the recipient a certitude resting on faith that he is in a state of grace. Costacciaro accordingly insisted on the retention in cap. 9 of the expression *communiter* to which the other side took exception and proposed the following formula for can. 14: "If anyone says that the regenerated and justified are bound to believe for certain that they are in a state of grace, or that the justified know for certain that they are in a state of grace, unless it be on the ground of Baptism of water, or of blood, or the reception of the sacrament of Penance—let him be anathema." The intercalation contained the Scotist view. If

the Council accepted this text it would condemn the Lutheran doctrine of the certitude of salvation but approve at the same time the Scotist certitude of grace through faith.

Out of a great number of proposals we have selected those made by Seripando and Costacciaro as typical. They were connected with the answer to the two supplementary questions submitted to the plenary assembly at the same time as the main subject of debate—the November draft. By and large the draft itself met with the favourable reception which it deserved. “Apart from a few passages”, Campeggio observed on 9 November, “the decree is well worked out. The legates, in conjunction with the deputies, should now put the finishing touches to it, fix a date for the Session and promulgate the decree at an early date (*cito*).” In the votes of a number of Fathers it is easy to perceive their impatience to see the end of the debate and to reap the fruit of their labours. In their report of 8 December the legates still counted on a speedy acceptance of the decree; but in the sequel they had to see the votes getting ever longer. On 22 November they hoped for the conclusion of the debate within two days, but as a matter of fact it was destined to go on until 1 December. Only two votes created a justifiable sensation.

In his vote of 18 November the Bishop of Fano, as we have seen, not only spoke in favour of the twofold justice, but to everybody’s surprise he went on to say that cap. 6 of the decree had nothing to do with the preparation for justification—what it described was justification itself. He disapproved of faith being ranked with the preparatory acts and its omission, in cap. 8, from the list of the causes of justification. Thus Pietro Bertano criticised the draft openly whereas the cautious Seripando, with his customary reserve, only did so in a private conversation with Cervini and in the pages of his diary.

Abbot Luciano’s criticism started from the definition of faith. “Basing himself on the arguments of the Lutherans”, Massarelli records, the Abbot on 23 November propounded a thesis which was in direct opposition to the text of cap. 15. It was to the effect that the loss of justice necessarily entails the loss of faith since faith and sin are irreconcilable. The assembly perceived at once that this thesis rested on the Lutheran conception of faith, and betrayed its uneasiness. However, there was no repetition of the Sanfelice incident. The president asked the abbot whether what he had said was his personal opinion. Luciano replied in the affirmative, but on the following day he explained that his thesis must not be understood of any kind of faith,

but only of *fides formata* that is, of faith informed by charity. The explanation was equivalent to a recantation. The loss of *fides formata* by grievous sin was a tautology; the question was the co-existence with sin of a true, supernatural faith unaccompanied by charity, and on this point Luciano had clearly sided with Luther on 23 November.

In this last stage of the discussion the conception of faith and its place in the process of justification constituted more than ever the focal point of the debate. We will attempt to draw a picture of this final stage though it is not possible to follow up in all its minute details the work then accomplished.<sup>1</sup>

We may ask: "By whom was this final, minute and exceedingly laborious task performed?"

Both the September and the November drafts were the work of Cervini and his confidants whom he had consulted privately. Now that the general debate on the November draft was at an end, the legates called in once more the commission formed in July but which had been unemployed since the withdrawal of their draft—the July draft. Thus it came about that in this last phase one member of the commission, namely the Bishop of Bitonto, came into prominence, was frequently consulted by Massarelli at the bidding of the legates, and acted as spokesman of the commission in the general congregations. In

<sup>1</sup> Work on the November draft from 1 to 17 December: For the nine *Dubia graviora*, C.T., VOL. v, pp. 686 f., which were read in the general congregation of 3 December, *ibid.*, pp. 685 f., and distributed in writing on the 4th, VOL. I, p. 590, l. 16; the vote in the general congregation on the 6th was by simple *placet* or *non placet*, VOL. v, pp. 687-91, as well as on the following day, *ibid.*, pp. 691 ff.; see also the original vote of the Bishop of Sinigaglia, 6 December, *ibid.*, pp. xl f. At the same time there was intense activity on the part of the legates and the deputies whose co-operation had been insisted upon by the Bishop of Feltre, *ibid.*, p. 643, l. 46. Since 25 November Massarelli had privately consulted, though of course by order of Cervini, the Bishop of Bitonto (VOL. I, p. 588, ll. 9 and 23), Seripando (*ibid.*, p. 589, ll. 1 and 10, and on the second occasion also Bonuccio) and the Bishop of Fano (*ibid.*, p. 591, l. 13). Between 30 November and 12 December the commission met nine times under the presidency of the legates and they got as far as cap. 7, 1-5 (VOL. x, p. 752, l. 23); the remainder was finished by 14 December (*ibid.*, p. 758, l. 16). With great satisfaction Cervini saw the new formulation accepted "uno omnium consensu", *ibid.*, p. 759, l. 17. The legates were determined to secure the approval of the decree at any price ("a ogni modo") by the plenary assembly before Christmas and at the same to fix the date of the Session for which they even then regarded the octave of the Epiphany as the most suitable. In the general congregation of 17 December the majority were so insistent on an early promulgation of the decree that the legates reported to Rome that it was perhaps no longer possible for them to postpone the publication of the decree any further, VOL. x, p. 761, l. 6. During these weeks Massarelli had to bear the main weight of the technical labour; he accordingly noted in his diary, at the end of a laborious day: "Vide tu, quid tota die egerim", C.T., VOL. I, p. 592, l. 43.



the course of three congregations (13 November and 1 and 2 December) the commission arranged into two main groups the numerous suggestions for an improvement of the text made in the course of the debate, the one consisting of slight corrections, mostly of style, which would not be submitted to the whole body of the Council; the other of nine important questions which the president put to the general congregation on 3 December for their decision: (1) In the description of the disposition for justification in cap. 6, should faith and hope be expressly described as acts and thereby differentiated from the habit of these virtues which are infused in the act of justification itself? (2) Should charity be included among the preparatory acts? (3) Is the rejection of justification through the imputation of the one justice of Christ worded with sufficient clarity? (4) Are faith and works placed in the right relation to justification? (5) Should the notion that in the final justification the merits of the just need to be perfected by means of an appeal to God's mercy and by recourse to Christ's merits, which was suppressed in the November draft, be once more embodied in the decree? (6) Would it not be advisable to devote a special canon to the condemnation of the doctrine that faith without charity (*fides informis*) is not Christian faith? (7) Should can. 15, which is aimed at the Pelagians, be combined with the other anti-Pelagian canons and placed after can. 4? (8) Is the present condemnation of the Lutheran certitude of salvation adequate? (9) Should the introductory formula, that after mature discussion the Council has drawn up canons, have its place at the head of the entire decree, or should it come immediately before the canons?

It is not difficult to detect in these nine questions the proposals made by Seripando (5) and Costacciaro (8), the objections of the Bishop of Fano (4) and those of Luciano (6), while the first two must be traced back to the Scotist and Thomistic schools' divergent views of the preparatory dispositions. Beneath the last question there lurked a problem fraught with most weighty consequences—the problem, namely, of the authority of the doctrinal chapters. The voting on the nine questions on 6 and 7 December showed that there was but little inclination to alter the existing text. Only eight votes favoured the inclusion of the concepts of *actus* and *habitus*, and fewer still supported Seripando's proposal of two additional clauses in cap. 16. The condemnation of the *sola fide* doctrine was found inadequate by five Fathers but that of the imputed justice by fourteen. Twenty votes favoured a canon on *fides informis* while twenty-three wished charity

to be included in the preparatory acts. This number throws light on the strength of the Franciscan school.

The vote on the nine questions had enabled the legates to ascertain the Council's views on the revision of the November draft which had become necessary. They could not have been blamed if they had left the final formulation to the commission chosen by the Council and then submitted it in its entirety to the vote of the assembly. However they chose a much more arduous road. The new formulation of the November draft, described by Massarelli as Form IV, which they had elaborated in conjunction with the deputies, was subjected to a fresh scrutiny, chapter by chapter, canon by canon, in eight general congregations held between 7 and 17 December. Not content with this, the legates convened those of the bishops who were also trained theologians for the purpose of once more examining with them every important aspect of the problem, so as to make sure of the assent of the plenary assembly. This small, expert circle of episcopal theologians held no less than eighteen conferences.<sup>1</sup>

This body, now mentioned for the first time, was not a commission. It had not been chosen by the Council and it worked with the commission. Unlike the general congregation, it was not entitled to pass final decisions, nor was it a purely consultative group, as were the

<sup>1</sup> Conferences of the bishops-theologians: according to *C.T.*, VOL. v, p. 704, l. 24, the group comprised the Archbishops of Aix, Sassari and Armagh and the Bishops of Chironissa, Porto, Motula, Bosa, Castellamare, Fano, Verona, Lanciano, Bitonto, Bertinoro, Belcastro, Salpi, Minori, the Canary Isles, and De' Nobili, and finally the six generals of the Orders. Of the eighteen archbishops and bishops, six were Dominicans, three Franciscans, one a Carmelite, the rest were seculars. The Archbishops of Aix, Armagh and Verona had long been known as able theologians. The Bishop of Lanciano had studied theology at Valladolid (Gutiérrez, *Españoles*, pp. 702 ff.) and we know that the Bishop of Castellamare had studied at Salamanca (*ibid.*, pp. 616 ff). —The four congregations here described, and summoned to discuss the meaning of the text in Rom. III, 28, *C.T.*, VOL. v, pp. 724 f. (17 December); 729 ff. (18 December); 733 ff. (21 December); 735 ff. (22 December), are based on the so-called Form IV of cap. 7; *C.T.*, VOL. v, p. 696. Cervini's standpoint in respect of the significance of the Fathers of the Church, *C.T.*, VOL. v, pp. 729, l. 21; 731, l. 34; 734, l. 23; Sirleto's letters, VOL. x, pp. 994-7. An analysis of these congregations in E. Stakemeier, *Glaube und Rechtfertigung*, pp. 109-20. The two congregations on the inclusion of *fides* in the causal scheme, cap. 8, *C.T.*, VOL. v, pp. 738 ff. (23 December); 741 ff. (28 December); Seripando's criticism in his original vote, *ibid.*, p. 743, ll. 20 and 27. The controversy on James, II, 24, *C.T.*, VOL. v, pp. 750 f. (31 December); the Archbishop of Armagh's defence of the view that hope must precede fear, *ibid.*, pp. 764; 780-4. Conclusion of the debate on the certitude of grace, *ibid.*, pp. 727 f., 772 f., cf. A. Stakemeier, *Heilsgewissheit*, pp. 167-70; Schierse in *Weltkonzil*, VOL. I, pp. 145-67. According to Massarelli's reckoning Form IV of the decree is the new version of the November draft which the general congregation began to discuss on 7 December and Form V the version submitted for approval on 9 January, *C.T.*, VOL. v, pp. 776, ff.

congregations of theologians. Its members had a definitive vote in the general congregations and on account of their authority as theologians they were able to turn the scale in that assembly. Besides the generals of Orders, whose membership was a matter of course, it included eighteen bishops, namely six Dominicans (the Bishops of Motula, Bosa, Fano, Bertinoro, Salpi, Minori); three Franciscans (the Bishops of Chironissa and Bitonto and the Bishop of the Canary Isles); one Carmelite (the Bishop of Porto). The remaining eight were seculars, three of whom, namely the Archbishops of Aix and Armagh and the Bishop of Verona, who were generally known as theologians, while the Bishops of Lanciano and Castellamare—both of them Spaniards—had given proof of their theological competence by their teaching activity at Salamanca and Valladolid. The protocols of the sessions at our disposal are evidence of the high level of the discussions. No carefully prepared papers were read, as was so often done in the general congregations, but genuine discussions developed which led to an evident clarification of the subject under consideration. From the protocols we learn which aspects of the problem of justification occupied and weighed upon the Council up to the last.

Three conferences were required (13-15 December) before cap. 6, on the preparation for justification, was given its final form. On 17 December, in connection with cap. 7, Cervini put this question: "How are we to understand St Paul's words that we are justified by faith?" The Scotists, joined by the Dominicans Stella and Catharinus, replied that we are justified by faith because the act of faith stands at the beginning of the disposition. The Thomist's answer—and they were supported by Seripando and Bonuccio—was that only faith combined with charity (*fides formata charitate*) has power to justify, though faith does play a role in the preparation. Dissatisfied with these differences of opinion, Cervini put his question more precisely: "How has the Church understood St Paul when he says that we are justified by faith alone?" The cardinal did not shy at the formula. He emphatically declared his own conviction that the mind of the Church was to be found in the writings of the Fathers rather than in scholastic theology, in fact on 18 December he submitted a collection of relevant texts of the Greek Fathers (Origen, Chrysostom, Cyril of Alexandria, Theodoret of Cyprus, Theophylact) which was no more than a fragment of the rich patristic material which his familiar, Guglielmo Sirleto, a *scriptor* of the Vatican Library, had collected for him in the course of the summer. In accordance with the cardinal's desire, and following

his example, the prelates made greater efforts than hitherto to strengthen the argument from tradition. The Bishop of Fano argued that St Paul was his own interpreter; the *sola fide* excluded the legal works of the Old Law, not the ensuing good works, but only by faith do we make justice our own (*per fidem iustitia apprehenditur*). However, in the opinion of more than one Father (among others, the Bishop of the Canary Isles and the general of the Dominicans) this kind of language came much too close to that of the Lutherans. On the other hand this shifting of the discussion from scholastic speculation to an understanding of the Scriptures and the Fathers brought the two opposing theological parties closer together, so much so in fact that on 21 December, at the opening of the third conference, Cervini was able to suggest that the text of Rom. III, 28, quoted in cap. 7, should be understood to mean that "we are said to be justified by faith because faith is the beginning of man's salvation, the root and foundation of the whole of justification, for 'without faith it is impossible to please God' (Heb. XI, 6)". "But was not the antithesis to the works of the Law left out in this formula?" the Bishop of Porto asked. "Was it not expedient to add a clause about the role of faith in our good works?" the Bishop of Bitonto enquired. In spite of these objections Cervini's formula received the assent of most of those present, but the question of the relation of faith to the works of the Law was nevertheless taken up once more on the following day. St Paul ascribes justification to faith "without the works of the Law" (Rom. III, 24 and 28), or simply "without works" (Rom. IV, 6; Eph. II, 9). The question was: should the words *sine operibus legis* be retained in the decree although alternatively the other formula (which omits *legis*) could be equally well maintained? Or should they be content with the explanation given further on, that justification by faith is not preceded by any merit? The simple clause *sine operibus*, the Bishop of Porto observed, would contradict the text in James II, 24. The Bishop of Castellamare described this explanation as quite erroneous. Accordingly, in order to avoid a lengthy explanation of the kind of works that were excluded, it was decided to omit the words *sine operibus*.

Cap. 7 created yet a further difficulty: was not the term *gratis* in contradiction with the condition demanded by the expression *per fidem*? It was felt that the apparent contradiction would be removed by adding that faith is also a grace (*gratis datur*), like all the other acts that precede justification. It was the Bishop of Bitonto who found the appropriate formula: "We are said to be justified gratuitously (*gratis*) because by

none of the acts that precede justification, whether faith or works, do we merit the grace by which we are justified."

The discussion of the problem of faith and justification was concluded in the conference of the episcopal theologians held on 23 December. Cervini put the question whether, in cap. 8, faith should be specially mentioned as one of the causes of justification. This rekindled the old opposition between the Scotists who would only admit faith as a *causa dispositiva*, and the adherents of the Thomist and Augustinian schools who, not satisfied with such a view, wished to see faith embodied in the schema either as an instrumental cause, or as part of the formal cause (thus the Bishops of Porto and Bitonto), or else left out altogether on account of its singular place in the process of justification (thus the Bishop of Bertinoro). The meeting broke up "in a state of great disunity" before the generals of Orders had been able to speak. When they met once more, after Christmas, on 28 December, the general of the Dominicans surprised everyone present by declaring that "faith is nothing else than the disposition for justification". This thesis, which no one expected to hear from him, he further elaborated by adding that "faith must be conceived as a kind of instrument used by man". Thus the discussion had got beyond mere school theology. The Bishop of Bitonto had come close to the Thomists with his statement that faith was no mere disposing cause but effects justification and can therefore be described as an instrumental cause *ex parte nostra*. Seripando was against ranking faith in the scheme of causes, for the characteristic motive that "all these difficulties arise out of philosophy and our use of its terminology when we attempt to speak of the divine mysteries". Bonuccio recommended a formulation by the Louvain theologian John Driedo, the only controversial theologian quoted besides John Fisher in the course of these discussions of the experts. This was perhaps their most valuable result. Instead of clinging to current polemical catchwords, the theologians had got down to the root-causes of the divergences. Cervini's proposal for a further emphasis on faith, in cap. 8, by the addition to the clause about Baptism of the words "the sacrament of faith by which we receive the promise of the Spirit", met with no response.

In the course of the revision of cap. 10, on 31 December, Cervini raised the question whether the text in James II, 24 (*ex operibus iustificatur homo et non ex fide tantum*), was actually to be understood of the second justification, as its quotation in this context tacitly presupposes. Three Scotists (the Archbishop of Armagh, Grechetto and the Bishop

of the Canaries) argued that in this text St James also speaks of the first justification, that is, of the works that precede it. Seripando gave them his support and in so doing appealed to St Augustine—though in a different sense: “If in Rom. III, 28, St Paul were speaking of the first justification, and James II, 24, of the second, St Augustine could have cleared up the whole difficulty with one word. If he did not do so it was because he was of opinion that both Apostles spoke of one and the same justification, though seen from two different points of view. St Paul excludes good works done previous to faith while St James teaches that works done in faith may not be excluded from the process of justification.”

Yet another question came up, namely whether in connection with good works which contribute to the increase of the grace of justification, mention should be made of the observance of the evangelical counsels—poverty, chastity and obedience. Several members of religious Orders, among them the Bishop of the Canary Isles, the general of the Dominicans and the coadjutor of Verona, were in favour of such a mention; however, Cervini's opinion that they should be content with not excluding them in this context prevailed. On 8 and 11 January, after unanimity had been achieved on all important formulations, the Archbishop of Armagh, with true Scottish obstinacy, pressed once more his view that in the psychology of justification the place of hope comes before that of fear. On 9 January 1547, the controversy over the certitude of grace was at last concluded. Cap. 9 of the decree had been purposely kept out of the deliberations of the bishops-theologians and the debates of the general congregations, but in the general congregation of 17 December, in spite of Pacheco's opposition, and by a majority of thirty-three votes against sixteen (there were six abstentions), the Council decided once more to confine itself to a condemnation of the Lutheran certitude of salvation. Considerable difficulties nevertheless arose when it came to the final formulation. One formula, which favoured the Scotist view and only excluded knowledge of the state of grace and had the additional clause that not all are bound at all times to believe in their being in a state of grace, was defeated by the Thomists led by the general of the Dominicans. The new formula, to which both sides finally agreed, definitely removed the ambiguity of the conception of faith which lay at the root of the problem. It ran as follows: “No one can be certain of his being in a state of grace with a certitude of faith that cannot be subject to error (*cui non potest subesse falsum*).” This formula denied the certitude of faith in the sense in which the Thomists

understood it while a certitude stemming from faith as conceived by the Scotists was left an open question. This solution was finally approved in the general congregation of 11 January 1547, within the framework of the new formulation of the decree, which was the result of the arduous labours of the three bodies concerned, that is, the commission, the episcopal theologians and the general congregation, and was described as Form V by Massarelli.

"God be praised", the president, Del Monte, said as he concluded the gathering, "that this sacrosanct decree on justification has been approved by all, to his glory."

The termination of the debate on justification in the course of the last weeks of 1546 and in the first days of 1547 had been favoured, in fact had been made possible, by the circumstance that the Emperor's decision concerning the November agreement had been delayed for a whole month and that when it turned out to be in the negative, it did not veto the completion of the decree which remained as unwelcome to him as it had always been. Yielding to the legates' pressure the Pope decided to have the decree published regardless of the Emperor's wishes.

In Rome too the Tridentine November agreement had not met with the favourable reception that might have been expected in view of the fact that it had been negotiated by the Pope's nephew and that it conceded the longed-for suspension. When the text was read to the conciliar deputation of cardinals, on 26 November, those present looked at one another in momentary astonishment. Morone was the first to break the silence: "Cardinal Farnese", he said, "comes from the imperial court and has acted in accordance with the Emperor's ideas, and to please him the conciliar legates have given their assent. However, their opinion will only be known through their next report which they will send on as soon as the nephew has left Trent." This statement was challenged by Cardinal Ardinghello, a "creature" of Farnese, and high words were exchanged between the two men without any tangible result being arrived at. The Pope himself shared the suspicion that Farnese had gone too far in meeting the Emperor's demands, above all he suspected that, though he was not authorised to do so, the cardinal had held out the prospect of a prolongation of the military alliance. Of the agreement he spoke at first approvingly (26 November) but before long (29 November) he made considerable reservations: he did not find fault with it, he said, but would have been better pleased if the

suspension of the Council had not been made to depend on the Emperor's assent. We may call to mind that when the plan for a translation was first discussed the Pontiff had given strict orders to Nuncio Verallo not to seek the Emperor's formal assent since the decision of the fate of the Council was to be exclusively the Pope's concern. For the time being, therefore, Paul III did not reject the agreement, but decided to await the Emperor's decision: if the latter ratified it, he could be satisfied since this would be in substantial agreement with his own earlier instructions about the suspension. But even so the Pope insisted that the suspension must not be decreed by himself in virtue of his supreme authority, but the legates were to be instructed to have it decreed by the Council. Work on the prospective reform Bull on the impediments to residence had already begun. It proved the occasion for another objection to the agreement. Did not the Bull make various concessions to the bishops while in the sphere of dogma the publication of the decree on justification had not led to any simultaneous and visible progress? The impression could easily be created that with this Bull the Pope was purchasing a suspension, on which he continued to insist even if the Emperor refused to ratify the agreement. In the latter event there was only one thing to do: the legates would have to seek a decision in favour of a suspension, if need be with the help of an exclusively Italian majority; they would only desist if the opposition were to show signs that they would refuse to comply with such a decision and would lodge a protest against it.<sup>1</sup> The legates' alternative plan, to be mentioned presently, of publishing the decree of justification and in the same Session to fix a date for the final Session, the Pope regarded as incapable of execution.

The legates had had their doubts about the Emperor's ratification from the beginning. Nearly a month went by before the Tridentine courier whom Mendoza had despatched to the imperial court on 16 November, returned to the city of the Council. But even after his arrival, on 11 December, the imperial cardinals, who in Toledo's absence were in charge of the Emperor's interests, wrapped themselves in silence for a whole week. Their attitude was not at all unwelcome to the legates; it gave them time to put the finishing touches to the decree on justification. In their opinion the agreement was already

<sup>1</sup> Reception in Rome of the November agreement; report of Gianbattista Cervini on the session of the committee of cardinals of 27 November, *C.T.*, vol. x, p. 915, l. 29; the Pope's reserve after Santa Fiora's instructions of 26 and 29 November, *ibid.*, pp. 739 f., 743 f., clarified by Maffeo, *ibid.*, p. 740, l. 14; upholding of the plan for a suspension after Santa Fiora's instructions to the legates on 4 December, *ibid.*, p. 749, l. 20.



obsolete when on 20 December Pacheco and Madruzzo handed them the Emperor's reply. It was in the negative.<sup>1</sup>

Charles V only approved the second part of the agreement—the publication of a Bull on the duty of residence; but he added a request that regard should be had for the requirements of the Spanish Church. The two main points, namely the completion of the decree on justification, without its promulgation, and the suspension of the Council, he rejected. His earlier demand, that the decree should be submitted to the Universities of Paris and Louvain, was now toned down to a suggestion that doctors of both universities should be invited to Trent. However, the real aim was the same as before, namely to delay the conclusion of the deliberations. The same arguments, it was said, were valid against a suspension as against a translation; moreover the favourable turn in the war brought the arrival of the Protestants sensibly nearer.

Thus the Emperor refused to ratify the agreement of 16 November whose three points, as the legates pointed out at once, constituted a unity—the rejection of two of them invalidated the third. The legates breathed more freely. They felt at liberty to let the Council run its course and, if at all possible, to bring it to an early termination. This was their chief objective and the complete solution which they had kept in mind ever since the failure of their plan for a suspension or a translation. They reasoned along the following lines: the pastoral interests of the countries that remained Catholic—Italy, Spain and France—needed a definition of the Catholic doctrine of justification; Germany could not be taken into account indefinitely; once the decrees on justification and residence were published, the Council would have accomplished its most important and most arduous task and the conclusion would be brought sensibly nearer. The remaining dogmatic subjects could be dealt with more expeditiously, as was done for the decree on original sin, since for the most part there was question of doctrines that had been officially condemned in the past. The decree on justification, so long and so thoroughly discussed, was the key to all those that were to follow. The reform decrees would prove even less troublesome. All that needed doing was to enforce timely canons and for the rest to insist on the observance of existing legislation. In this

<sup>1</sup> The Emperor rejects the agreement of Trent: the legates' scepticism, *C.T.*, vol. x, p. 755, l. 24, and their determination to make capital of the delay ("battere il ferro"), *ibid.*, pp. 758 f. The legates' report on the negotiations with the two imperial cardinals, *ibid.*, pp. 762 ff., supplemented by the parallel letter of Cervini to Maffeo, pp. 765 f.

way the Council might be brought to a close within six months, or even less. The next step on this road would be for the forthcoming Session to fix by means of a decree the date of the final Session. The Council would be bound by a decree of this kind; in the opinion of canonists it could not be invalidated by a unilateral decision of that body; it could only be invalidated with the assent of the legates. This would open for the bishops the prospect of the end of the Council for which they were impatiently waiting; no longer would they be able to plead the excuse that "there was no end to the Council", that "it went on for ever". By fixing a time-limit they would meet the opinion which had inspired the plan for a translation, and latterly for a suspension. Above all it would be the best and most satisfactory solution for the Pope. By this time the Council of Trent had lasted a whole year. Most of the earlier General Councils—apart from those of the previous century, Constance, Basle and the Lateran—had as a rule lasted only a few months, not years. The certainty of an early termination of the Council, guaranteed by a firm time-limit for the final Session to be decreed in the forthcoming Session, seemed to the legates the most desirable solution of the whole problem of the Council now that the Tridentine agreement had been rejected by the Emperor.<sup>1</sup>

However, even the date of this forthcoming Session was not yet fixed while the debate on the duty of residence had not even begun! The legates planned to get the date of the Session fixed by the afternoon congregation of 20 December and firmly refused to put off the latter meeting until the Pope should have declared his mind. The moment was favourable; they were determined to strike the iron while it was hot and to push on the negotiations with the utmost energy. They ignored the imperial cardinals' request for a delay. They did so all the more readily as they had learned through Severoli that even in the Spanish camp some of the ablest men, such as the Bishops of Badajoz, Calahorra and Astorga, were anxious for an early termination of the Council, hence also for the immediate completion of the decree of justification.

In the general congregation of 17 December the legates had successfully prevented a fresh general debate on the certitude of grace as

<sup>1</sup> Proposal by the legates to fix a date for the final Session, *C.T.*, VOL. X, pp. 737 f. (24 November); Maffeo's rejoinder, *ibid.*, p. 750, l. 24, more decided than Santa Fiora's p. 750, l. 8. Cervini endeavoured to refute Maffeo's objections, *ibid.*, pp. 753 ff., and even more fully in the "Ragioni" destined for the Pope's own eyes, pp. 766 f. The extraordinarily important communication of the three Spanish bishops, to the effect that they too were anxious for an early termination of the Council, *ibid.*, p. 748, l. 8.

advocated by the imperial party. Such a debate would have delayed the conclusion of the discussion for weeks, perhaps for months. The climate of the discussions had worsened not a little as a result of certain critical remarks dropped by two prelates of the Curia who had come from Rome as recently as the last days of November, namely the papal Vicar General, Filippo Archinto, and the auditor of the Apostolic Camera, Gianbattista Cicada. "Satan", the former had said, "seeks to prevent the completion of the decree by means of this far-fetched controversy", and Cicada had spoken of a bad spirit that had crept into the Council. Pacheco took these words as referring to himself since it was he who had insisted on a debate on the certitude of grace. He gave vent to his resentment in the general congregation of 20 December.<sup>1</sup>

The legates proposed that the Council should declare its agreement to a date being fixed for the next Session and to the opening of the debate on the obligation of residence, but no general discussion and still less no final decision on these two topics was contemplated that day. The legates were anxious not to lay themselves open to the accusation of seeking to take the Council by surprise and to await instructions from Rome which they thought would be in their hands after the Christmas festivities. As was to be expected, Pacheco strongly objected to a time-limit for the Session before the completion of the second decree—that on residence. His main argument, the Council's unhappy experience with the July date, was not easy to refute. On his real motive, a political one, Pacheco observed a cautious silence, yet it was to this motive that the biting remark of the Archbishop of Corfu referred when he said: "we are being deceived" (*decipimur*). The remark came opportunely for the legates inasmuch as it served to convince the Emperor's representatives of the majority's longing for the conclusion of the debate. It also enabled them to demonstrate the fact that they were above the parties by administering a correction to the archbishop: "Language such as this is unbecoming at a Council",

<sup>1</sup> The date of the Session fixed in the general congregations of 17, 20 and 29 December; Severoli, *C.T.*, VOL. I, pp. 109-12; the acts, VOL. V, pp. 727 f., 732 f., 743 ff. What the intentions of the legates were on 20 December we learn from their report, VOL. X, p. 763, l. 40. The result of the vote on 29 December (of 59 entitled to a vote 16 gave an unfavourable one) as given by Severoli and the acts, is confirmed by the legates' report, *ibid.*, p. 772, l. 12 ("più che due terzi"). The minority was made up of 7 Spaniards (that is all the Spaniards except the Bishop of Sassari), 5 bishops of the kingdom of Naples, 3 other Italians (the Bishops of Sinigaglia, Fiesole and Calice) and, to the legates' surprise, the Bishop of Worcester. For the general congregations from 3 to 10 January which were devoted to the preparations of the decree on residence, see below, CH. IX.

Cervini said (*neque huic sacro loco convenit*). On the other hand Cicada's remark, to which Pacheco had taken exception, he excused on the ground that the long-drawn debate on justification had frayed the bishops' nerves and made them suspicious. At the conclusion of the meeting Del Monte sought to smooth the general irritation with a humorous sally: "In Accursius, whom Archinto has quoted, there is another passage to the effect that 'a man with an empty stomach is a bad listener'." The time was the twenty-third hour of the day, that is, four o'clock in the afternoon and long past the hour of the midday meal.

After the Christmas holidays, in the general congregation of 29 December, the legates experienced no great difficulty in winning over the majority of the Council for the proposed date of the Session, namely the octave day of the Epiphany. The imperial block, with sixteen votes at its disposal, kept together, but individual members spoke with the utmost caution. Before long it became evident that their objections to a fixed date were well founded since the decree on justification was not yet completed and the debate on residence had not yet begun: they were not "unscrupulous", as Grechetto told the Bishop of Sinigaglia.

This success restored to the legates a sense of security they had not enjoyed since the last days of July; they felt that the direction of the Council was firmly in their hands. On 2 January 1547, Cervini wrote to his friend Maffeo: "At the moment the situation at the Council is such that with the help of God we shall be able to give effect to all our legitimate desires." The imperial party had no precise instructions and lacked firm guidance. The legates accordingly pushed on the negotiations with great firmness. The reform decree on the duty of residence was rushed through—the expression is not too strong—during the first ten days of January and was approved two days later, though after the fateful concession that divergent opinions could be submitted in writing even in the course of the Session. On the other hand the legates had perforce to abandon their long-distance plan for fixing even now a time-limit for the final Session of the Council owing to the Pope's desire for an early date. This wish was prompted by the course of events in Germany.<sup>1</sup>

<sup>1</sup> Approval of both decrees on 11 and 12 January: *C.T.*, VOL. I, pp. 120 f.; VOL. V, pp. 78c-9; the legates' sense of personal assurance recovered, VOL. X, p. 779, l. 20, Verallo's report from Germany of 17 and 21 December, *N.B.I.*, VOL. IX, pp. 390 ff., 404 ff.; cf. *C.T.*, VOL. X, p. 777, n. 4. The studied French optimism, in Dandino's letters, *ibid.*, p. 768, l. 15. Maffeo's somewhat premature assurance of the Emperor's impending victory, *ibid.*, p. 782, l. 5. For the final efforts of the imperial party in

The reports from the German theatre of war which reached Rome and Trent foreshadowed, even before the end of 1546, the collapse of the Schmalkaldic rebellion in South Germany. Ulm, an imperial city, had surrendered to the Emperor, Augsburg and Strasbourg were negotiating with him. So was the Duke of Württemberg. The boastful reports of the solidarity of the confederates and their favourable financial situation, which the French court put in circulation through Dandino, were unmasked and were seen to be pure propaganda. Maffeo summed up his impressions—somewhat prematurely—in these words: “The whole of Germany is returning to the obedience of the Emperor.” For the imperial party in Rome this favourable turn of events came as a powerful incentive for a supreme effort to prevent the publication of the decree on justification at the eleventh hour by means of a direct papal intervention in the course of the Council. They had failed at Trent, but it was by no means certain that under the impression of the Emperor’s successes, the Pope would not end by recommending a waiting-policy. However, Paul III faced the imperialists with the dilemma: “Either the decree or a suspension.” It was impossible to keep the Council in a state of uncertainty and unable to achieve tangible results. On this point the Pope remained firm but he hesitated to fall in with the legates’ plan for fixing thus early a time-limit for the final Session. Such a step would only serve to strengthen the impression that they were anxious to slam the door of the Council before the arrival of German representatives. The Pope accordingly instructed the legates on 7 January to fix an early date for the next Session rather than a late one. This directive, which was received at Trent on 11 January, proved decisive for the resolution taken on the following day, to hold the next but one Session on the Thursday after the first Sunday in Lent, 3 March 1547.

The memorable *Sessio* VI of 13 January 1547 opened with a minor incident. When the prelates, fifty-nine in number, hence as many as had been present at *Sessio* V, entered the cathedral, the three envoys of the King of France were seen to be missing. The legates accordingly instructed the conciliar commissary, Giacomelli, to summon them. He returned with a message which it was not easy to interpret. Since the Emperor was not represented, they said, they too would not be

Rome to delay publication of the decree *see* Farnese’s instructions of 7 January, *ibid.*, p. 783, l. 10. The courier bearing the directions of 7 and 8 January arrived at Trent on the 11th, VOL. I, p. 600, l. 36.

present at the Session, unless Cardinal Pacheco gave a written declaration that he was also acting as representative of his sovereign. The cardinal declined the suggestion and the French envoys accordingly stayed away from the Session.

Were the envoys actually more imperialistic than the Emperor himself? By no means. France had let it be known both in Rome and at Trent that she had no objection to the publication of the decree on justification. On that score there was no reason why the envoys should boycott the Session. But, as the legates rightly suspected, it was not out of regard for the Emperor, but consideration for France's friends in Germany and beyond the Channel, that is, the confederates of Schmalkalden and Henry VIII, that caused them to regard attendance at the Session as inadvisable.<sup>1</sup>

The Mass of the Holy Ghost was sung by the Archbishop of Spalato, Andrea Cornaro, a scion of one of the many branches of the noble Venetian family of that name. The sermon had been entrusted to the Dominican Tommaso Stella, Bishop of Salpi near Trani, in Southern Italy, who had distinguished himself as an able controversialist and a zealous reformer of the convents of his Order in Upper Italy. On this great occasion he lived up to his reputation. With much ingenuity he linked up the mystery of the Epiphany, whose octave day it was, with the dogma of justification which had been authoritatively formulated by the Council. The gift of charity which God bestows upon the soul that thirsts for it, contains within itself power over sin, the world, the devil and human self-will; wisdom also in the discernment of spirits and that goodness through which faith comes to life in good

<sup>1</sup> The acts of *Sessio VI* of 13 January 1547, with the sermon of the Bishop of Salpi in *C.T.*, VOL. V, pp. 790-820; the incident with the French envoys according to Severoli, *C.T.*, VOL. I, p. 122, l. 2, confirmed by the legates' report, VOL. X, p. 788, l. 22. Proofs of France's assent to the publication of the decree on justification, *ibid.*, pp. 716, l. 1; 719, l. 34; 765, l. 19. As Ehes observed, VOL. V, p. 1069, the celebrant of the Mass of the Holy Ghost, Andrea Cornaro, is mistaken for his nephew Marco even in the second edition of Eubel's *Hierarchia Catholica*, VOL. III, p. 302. Andrea had resigned the archbishopric of Spalato in favour of his nephew as early as 1537 while retaining, according to custom, the title. Andrea Cornaro, Bishop of Brescia (Eubel, VOL. III<sup>2</sup>, p. 29) and a cardinal in 1544, was also a nephew of this elder Andrea. The Bishop of Fano also attached great significance to the surprising unanimity of the vote—in view of all that had gone before: “senza niuna contraditione”, (*C.T.*, VOL. X, p. 789, l. 25). Abbot Luciano, who as late as 3 January wrote as follows to the Duke of Ferrara in connection with the decree: “Sono certo che col tempo si ne pentiranno”, *ibid.*, p. 776, n. 1, gave his *placet*. Del Monte's declaration about the general excuse of the German bishops is more accurately recorded in the legates' report, *ibid.*, p. 787, l. 13, than in the acts, VOL. V, p. 810, l. 47. Surprisingly enough Pratanus takes no notice of it at all, VOL. II, p. 391, whereas Madruzzo reported on it to the Emperor, VOL. XI, p. 91.

works, that is, the three divine qualities which, as interpreted by the liturgy, are symbolised by the Magi's offering of gold, frankincense and myrrh. Let the bishops imitate the Magi and point out to their flocks the way to Christ by showing forth in their own lives the doctrine of grace and justification. Let them not be content with merely marking the road to Bethlehem, like so many motionless milestones (*fixi lapides*). The threefold theophany honoured in the liturgy for the feast of the Epiphany—the coming of the Magi, Christ's baptism in Jordan, the miracle of Cana—provided the preacher with a text for an exhortation which obviously links up with the Bishop of San Marco's exhortation to penance in his sermon in *Sessio* II. The bishops must seek salvation by a faithful discharge of their duties, so as to make it impossible for anyone to apply to them what was said of the Pharisees: "What they say, do ye, but according to their works do ye not" (Matt. XXIII, 3), or to reproach them for behaving like Herod's scribes who were able to tell where the Messiah was born, but who neither sought nor found him.

Stella's sermon was splendidly delivered; but it was no mere rhetorical declamation; on the contrary, it was an exhortation instinct with genuine and profound earnestness. In one place only, in a few pungent words against the *sola fide* doctrine, did the orator remind his audience of the fact that the Council was about to issue an authoritative dogmatic decision concerning the great controversy of man's justification in the sight of God.

The president distinguished this Session from all the previous ones by addressing a short allocution to the assembly, as he had done at the opening Session. Referring to the feast of the Epiphany, as the preacher had done, he described the decree on justification as the victory of light over darkness: he urged the prelates to be strong in faith, hope and charity and to prove themselves the salt of the earth and the light of the world.

The Archbishop of Spalato then read the decree on justification. The two legates did not content themselves with a simple *placet*, but added the words: "We accept and embrace with great reverence this holy, Catholic doctrine of justification." Almost all the bishops followed their example. One member of the opposition, the Bishop of Castellamare, had suggested at the conclusion of the last general congregation, that the votes should not be given in writing but by word of mouth, so as to strengthen the impression of unanimity. However, seven papers were handed in at the voting, but only two, those of the Bishops of Sinigaglia and Bosa, contained some slight reservations,

particularly in respect of the doctrine of the certitude of grace. Four others, those of the Bishops of Sebenico, Lanciano, Calahorra and Badajoz, were concerned with the title of the Council. The Bishop of Badajoz justified his demand for the formula *universalem ecclesiam repraesentans* to be placed at the head of the decree by the promise made by the legates during the debate that this title would be reserved for decrees of particular importance. Now, if ever, this condition was fulfilled.

The legates exaggerated nothing when they reported to Rome that the decree had been unanimously accepted (*nemine discrepante*). "This fact", they added with justifiable pride, "was regarded as wonderful not only by outsiders, but by the prelates themselves. His Holiness and the Sacred College have good reason to thank God for this happy issue; not for many centuries has so weighty a doctrinal decision been taken by a council." The opposition, fully conscious of the solemnity and the greatness of the hour, had laid aside every political hesitation and approved the decree without a single exception, thus assuring a unanimous decision.

The Tridentine decree on justification is the Church's authoritative answer to the teaching of Luther and the *Confessio Augustana* on grace and justification. The reformed doctrines of Zwingli and Calvin were only lightly touched upon in the course of the debate. The Catholic doctrine of justification as defined by the Council was on the one hand, as far removed from Pelagianism, which excludes the supernatural action of God's grace from the process of salvation, as it was on the other from the Protestant doctrine in which man's co-operation vanishes (Rivière). The structure of the decree shows a triple gradation. In the first part (cap. 1-9) it exposes the sinner's incapacity to save himself by his own efforts and the utter gratuitousness of the first justification, for which the sacrament of Baptism is required. On the other hand it affirms the necessity of a preparation on the part of man and the co-operation of his free-will (cap. 5); it then describes (cap. 6) the disposition required, that is faith in revelation, acknowledgment of sin, fear, hope, initial charity and finally "the resolve to receive Baptism and to begin a new life". The demand for a disposition does not savour of semi-pelagianism (Loofs)—it explains the mode of man's co-operation. Cap. 7 lays bare the core of the Catholic doctrine of justification. The remission of sin does not exhaust its virtue; it is also "a sanctification and renewal of the whole man". Its formal cause is "God's justice—not indeed the justice whereby he himself is just, but the justice by which he justifies us", when "the love of God is poured into

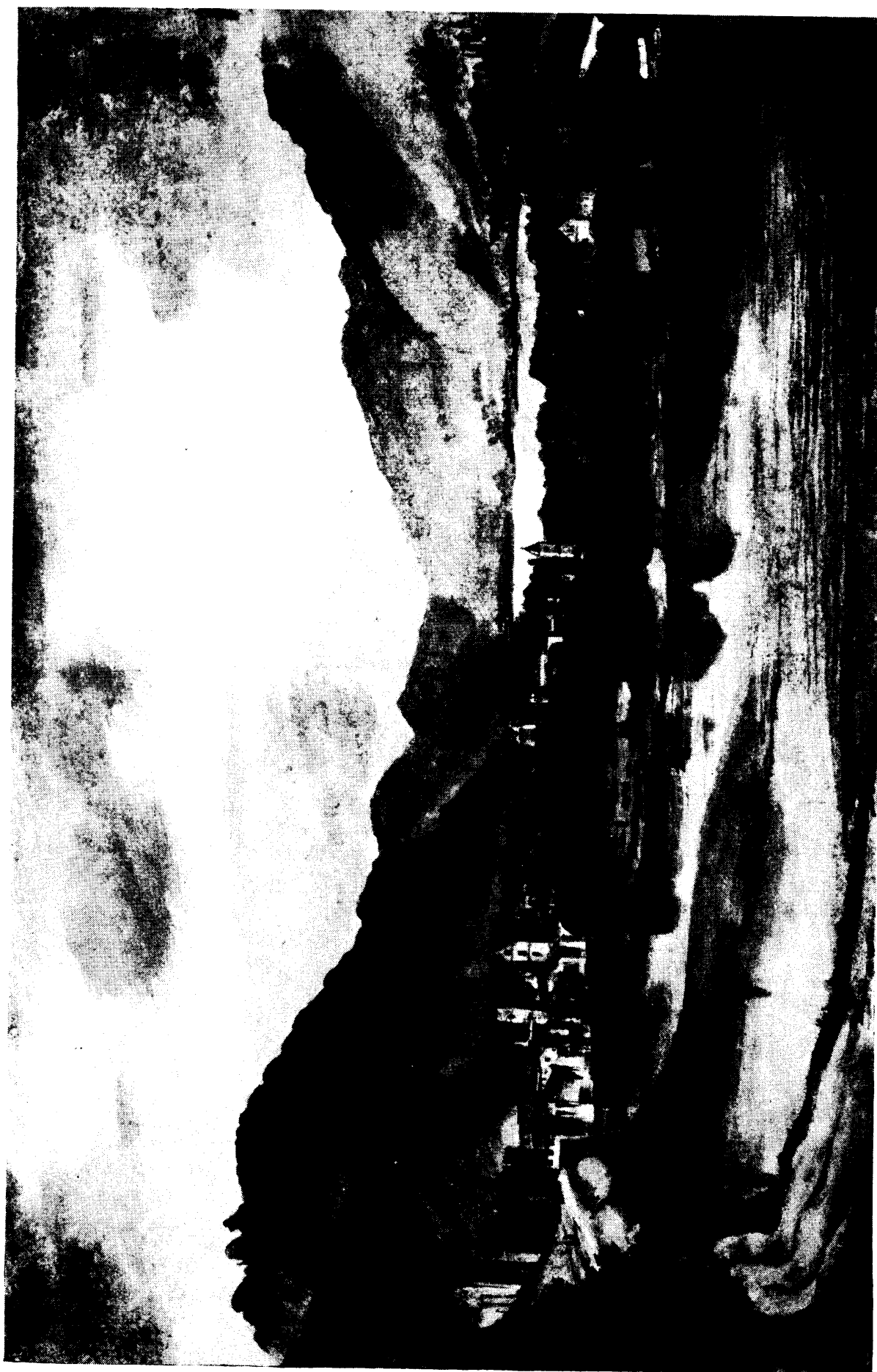


the hearts of the justified by the Holy Ghost and becomes their own" (*atque ipsis inhaeret*). The Pauline formula that man is gratuitously saved by faith must be understood as the Catholic Church has always understood it, in the sense, that is, that faith is the beginning of man's salvation, the root and foundation of the whole of justification (cap. 8); we are said to be "justified by grace because none of the things that precede justification, neither faith nor works, merit the grace that justifies". Cap. 9, around which controversy lasted longest, confines itself, in accordance with a twice-repeated decision of the Council, to a condemnation of the Protestant certitude of salvation as a thing that must be believed. It also lays down the principle accepted by both theological schools, that no one may doubt God's mercy, the merits of Christ and the efficacy of the sacraments while on the other hand, no one is in a position to know "with the certitude of faith which cannot be subject to error" that he is in the grace of God.

The second part of the decree (cap. 10-13) treats of the so-called second justification that is, the increase of justifying grace through the fulfilment of God's commandments, which is a duty laid upon us by God and not merely a token of the fact that we are justified. The just man cannot be certain of his predestination to eternal salvation. He remains liable to sin and is bound to work out his salvation in fear and trembling. Perseverance to the end is also a grace.

The third part of the decree (cap. 14-16) declares that justifying grace is forfeited by any grievous sin, not merely by infidelity—but that it can be recovered through the sacrament of Penance. He who perseveres until the end obtains everlasting life both as a grace and as a reward because, joined as he was to Christ, like the branch to the vine, he has fulfilled God's law by his good works performed in a state of grace and has thus merited eternal life. But there is no room for vain boasting by man for even merit is a gift of God. This teaching on merit in the concluding chapter put an end to the controversy about the doctrine of a twofold justice. In this chapter the most important positive notion hammered out in the course of the discussion, namely the union of the justified with Christ as the basis of the meritoriousness of his works, was embodied in the decree. The Council nevertheless refrained from a formal condemnation both of the doctrine of a twofold justice and of its advocates.

The decree on justification is surely not merely "the grandiose, impressive codification of the teaching on grace of the golden age of Scholasticism, handed down as a precious heritage of the Middle Ages,



VIEW OF TRENT  
*After a painting by Dürer, formerly in the Kunsthalle, Bremen*



a doctrine that countered the modern notion of man as the centre of the universe with the traditional conviction which assigns that position to God" (Schierse). It is more than a compromise between the great theological schools: "it is clear and precise" when treating of the essence of justification, "ambiguous and obscure from sheer caution" when dealing with particular details, that is, the divergent opinions of the schools (Loofs). In no sense can it be said that it merely represents "the lowest common multiple of scholastic thought" (Seeberg). It is true that the decree rests on the results of scholastic theology, but it is much more than a summary of its conclusions. Its authors—Cervini and Seripando more than anyone else—were fully conscious that their task was to create a new thing, not merely to copy an existing model. While Catholic controversial theology and the negotiations for reunion provided valuable material for a solution of their problem, it furnished no ready-made formulas for use in the drafting of the conciliar definitions. In the theologians' discussions of the two questions in the month of October, and in the conferences of the bishops-theologians in December, an advance was made beyond the catchwords of controversial theology, impressive though they were, to the very core of the controversy. The length of the conciliar negotiations was not exclusively, or even chiefly, due to the political disturbances which led to an interruption of the debate in August and September; it was equally due to a consciousness of the gravity of the task and a determination to carry it out as perfectly as possible. The Council's aim was to draw a line of demarcation between Catholic dogma and belief and Protestant teaching. This delimitating function of the decree was realised, in the first instance, by means of thirty-three canons which are no mere appendage of the doctrinal chapters. As a matter of fact, the doctrinal chapters explain the canons; they are the positive formulation of the content of the faith which underlies the condemnation of the errors listed in the canons. On the other hand, in accordance with the whole purpose of the Council, the canons are of decisive importance. It is therefore a safe rule for an interpretation of the decree that it must always start from this delimitating function, that is, from the canons. Yet another rule may be inferred from the history of its origin. Since the Council's intention was to draw a line of demarcation between Catholic dogma and Protestant teaching—not to settle controverted opinions in the Catholic schools of theology—it follows that in all doubtful cases previously professed theological opinions may continue to be held.

The severance of the doctrinal chapters from the canons, hence their independence, served in the first instance a practical purpose. They were meant to constitute the norm for the proclamation and exposition of the faith, and so to remove an uncertainty which threatened to affect both preaching and teaching—"to the irreparable injury to the souls of men". The declaration of purpose which from the November draft passed into the *prooemium* of the final decree: "To the honour and glory of Almighty God, for the peace of the Church and the salvation of souls", was explained more than once in this sense both by the legates and by other members of the Council. The oft-repeated declaration on the papal side that the publication of the decree on justification could not be put off, was not a political manoeuvre for the purpose of neutralising the imperial delaying policy; it was, on the contrary, the expression of a genuine conviction. Catholic teachers and preachers needed a clear norm and a firm ground for their struggle with Protestantism. The decree on justification provided both because, unlike the Bull *Exsurge*, it did not restrict itself to the condemnation of definite doctrinal propositions which could be easily understood by a trained theologian, but not by a simple preacher or catechist, but rather gave a positive explanation of the Catholic doctrine of justification.

"The decree on justification", Harnack writes, "though an artificial product, is in many respects an excellent piece of work, in fact one may doubt whether the Reformation would have developed if this decree had been issued by the Lateran Council, at the opening of the century, and had really passed into the Church's flesh and blood." To picture the consequences Harnack rightly regards as a futile undertaking, one not worthy of a historian; but neither idle nor futile is his assertion—with which we do not hesitate to associate ourselves—that if the decree delimitates and, as a consequence, separates, it also lays bare foundations that unite.<sup>1</sup>

<sup>1</sup> The orientation of the doctrinal chapters of the decree on justification towards the proclamation of the faith is well in evidence. Already in the November draft we read: "ad . . . Ecclesiae tranquillitatem et animarum salutem", *C.T.*, VOL. V, p. 634, l. 24, as well as in the definitive text, *ibid.*, p. 791, l. 42. In the November agreement there was question of the "Danno che ne fussero per patire l'anime de molti" if publication were delayed, VOL. X, p. 727, l. 15. The Bishop of Fano, *ibid.*, p. 762, n. 4, indicates the purpose of the decree: "Se non soccorrera alli perduti, soccorrera almeno a quegli che sono per perdersi". On 20 December the legates issued a warning that any delay in the publication would entail "danno irreparabile delle anime", *ibid.*, p. 763, l. 1, and on 29 December Del Monte quotes the Lenten sermons which were to begin soon and which frequently led to controversies and mutual accusations as a motive for the urgency of the decree, VOL. I, p. 111, l. 8. On 17 December Cardinal Pacheco based his demand for a decision in the controversy of the certitude of grace on the circumstance that otherwise

If the Council's unanimity on the decree on justification was indeed an impressive spectacle, its lack of agreement on the second decree of *Sessio VI*—the duty of residence of the Bishops—was disconcerting. Less than one-half of those entitled to a vote—twenty-eight in all, and most of them close adherents of the legates—accepted it unconditionally while the majority made reservations, so that the president felt unable to declare that it could be considered as accepted: acceptance or rejection had to be left to a future general congregation. The antecedents and the ensuing fate of this decree will occupy us in the next chapter.

On the other hand the date of the next Session, 3 March, met with unanimous assent. Finally the promoter of the Council, Severoli, proposed that proceedings should be taken against prelates absent without leave. Del Monte named the Archbishop of Aix and the Bishops of Astorga and Albenga as members of a tribunal to be constituted for that purpose. The majority, however, and not only the imperialists, were anxious to excuse the German bishops generally and to except them from these proceedings. As a jurist Del Monte saw at once the legal objections to such a general exemption. His line of thought is explained in the legates' report of 13 January. "A general excuse of the German bishops", he wrote, "could endanger the legality of the decree, for on the ground of this exception someone might present himself at the Council and demand the withdrawal of the decree on justification, on the plea that he had not been heard, while his genuine inability to be present had been duly recognised by the Council." In order to preclude the possibility of an attack of this kind on the decree the president made this declaration as soon as the voting was over: "We do not concede that anyone is legitimately excused if his reasons for non-attendance have not been examined in accordance with the prescriptions of the law and approved by the proper judges." The intervention of the legates, inspired as it was by their conception of the situation, prevented the passing of a conciliar decision in favour of Severoli's proposal. Four hours after the opening, towards one o'clock in the afternoon (the twentieth hour according to Italian reckoning), the Session ended with the chanting of the *Te Deum*.

the preachers would go on proclaiming the certitude of salvation and declaring good works superfluous. Harnack's verdict on the decree of justification in his *Dogmengeschichte*, VOL. III<sup>5</sup> (Tübingen 1932), p. 711; R. Seeberg, *Lehrbuch der Dogmengeschichte*, VOL. IV/2 (Erlangen-Leipzig 1920), p. 781; F. Loofs, *Leitfaden zum Studium der Dogmengeschichte* (Halle 1906), pp. 667 f.; *D.Th.G.*, VOL. VIII, PT II (1925), pp. 2164-92 (an excellent commentary on the decree by J. Rivière); A. Michel, *Les decrets du Concile de Trente* (Paris 1938), pp. 65-162.

When the dogma of papal infallibility was defined on 18 July 1870, neither the outbreak of the Franco-German war, nor the occupation of Rome by the Italian troops on 20 September, was able to prevent the world-wide effect of that dogmatic definition. Reaction to the publication of the Tridentine decree on justification was surprisingly feeble and by no means uniform. More than two months after the event that veteran German controversial divine, Johann Cochlaeus, wrote to Cardinal Cervini that when he read the text of "this eagerly longed-for decision" he felt relieved of a certain amount of anxiety caused by two drafts which had come to his knowledge some time before. His fear was lest, influenced by certain highly placed persons (he was probably thinking of Pole), the Council should go too far in a desire to meet the Protestants. But now he realised that the Holy Spirit had been at work and had kept the faith intact.<sup>1</sup> In Rome the decree met with "general approval" as regards its contents but the natural satisfaction that at last clarity and certainty had been arrived at in respect of one of the most important controversial doctrines was tempered by the anxious question whether in this way the last though ever so faint hope of an understanding with the Protestants had not been quenched. No less than four members of the cardinals' commission for the Council, namely Pole, Crescenzo, Morone and Cortese had opposed publication as late as the first days of January. The Pope had overridden their objections and put no obstacles to the promulgation. Up to the last moment the imperial ambassador, Juan de Vega, had refused to believe it possible and had informed the Emperor accordingly. Both he and

<sup>1</sup> On the reception of the decree on justification in France see Dandino's reports, *C.T.*, VOL. X, pp. 812, *n.* 2; 830, l. 9; 831, l. 15. For reception in Germany: Cochlaeus to Cervini on 29 March 1547: *Z.K.G.*, XVIII (1897), p. 620; Maffeo wrote from Rome, on 23 January: "È approvato universalmente da tutti", *C.T.*, VOL. X, p. 801, l. 22. The report of the agent of Ferrara, Ruggieri, dated 5 February, on the dissension within the conciliar deputation, *N.B.I.*, VOL. IX, p. 455, *n.* 1, is confirmed by a letter of Bianchetti to Giovanni della Casa, dated 15 January and written at a time when he was still unaware that the Session had taken place. According to him the Pope's decision "che si risolva questo articulo della giustificatione" had given rise to misgivings in the Sacred College: "Pare a molti etiam di questi R<sup>m</sup>l che levi l'occasione di possere mai piu riddurre li Lutherani, li quali resteranno nella perfidia loro et diranno che non hanno consentito ne addutte le ragione loro." A little later he goes on: "Certo se si potesse fare una suspensione cosi dell'articulo come del Concilio ad quietiora tempora saria forse meglio, et questo era il parere di molti di questi R<sup>m</sup>l. Ma, N.S. l'ha voluta cosi." *Bibl. Ricci* 5, fol. 221, *or.* On the opposition of the imperial party in Rome, *N.B.I.*, VOL. IX, pp. 423 f.; *C.T.*, VOL. XI, pp. 88, 91 f., in which Juan de Vega reports on 13 January a move taken by Marquina. The reaction at the imperial court: the letter of 12 February in which the Emperor blames his agents at Trent, reproduced by G. Buschbell in *H.ſ.*, LII (1932), p. 376; Verallio's report on his audience of 2 February 1547, *N.B.I.*, VOL. IX, pp. 442-51.

the imperial cardinals felt so hardly done by that they went the length of threatening a German National Council, but the threat failed to make the hoped-for impression.

Official information about the Session through the imperial agents—Toledo had not been present—only reached the imperial court on 6 February, but the news had come through long before by another channel. As was to be expected the Emperor took it as a crossing of his plans, but a far heavier blow for him at the moment was the information communicated by Nuncio Verallo, to the effect that the Pope did not intend to prolong his warlike alliance with him and was accordingly withdrawing his auxiliaries.

The Emperor's relations with the Pope had been strained for some time already and for some weeks he had refused to give audience to the nuncio who had also been excluded from any share in the preliminary negotiations with the Estates of South Germany. When on 2 February Verallo complained of this treatment and in compliance with his instructions announced the withdrawal of the papal troops, the Emperor acknowledged the information with the sarcastic remark that he was glad to be rid of such allies. He gave the nuncio to understand that these troops had been an embarrassment rather than a help. But after that he gave vent to his pent-up fury. The Pope's sympathies, he said, were with the French and under French pressure he now denounced the alliance; he had involved him in this war in order to destroy him. He was no "Good Shepherd" and only thought of the exaltation of his family! After this explosion he left the audience chamber to attend Mass. When Verallo subsequently called on Granvella, the latter did his best to attenuate the effect of the Emperor's angry outburst and sought to make excuses for him. However, this much was evident—the marriage of convenience between the monarchs concluded eighteen months earlier and on which their joint action in Germany and at the Council had been based, was about to be dissolved. Four weeks later the translation to Bologna was to complete the process.

As for the Protestant divines in Germany, the alarming turn the war had taken for them overshadowed their interest in the proceedings at the Council. Bucer's concern during these weeks was to comfort and console the Landgrave of Hesse. As late as the end of February Melanchthon had no knowledge of the Session and had to seek information from Veit Dietrich.<sup>1</sup> At last, in the first week of March, he got

<sup>1</sup> Melanchthon to Veit Dietrich on 23 February 1547, *Corp. Ref.*, VOL. VI, pp. 401 f.; in a letter to Buchholzer on the following day Melanchthon still speaks of the "acerrimae



his first information on the decree—not its text but merely a few “articles”, one of which, it was alleged, read as follows: “Let him who is certain of being in a state of grace be anathema!” Only by the end of the month did he get hold of the complete text. “The decree”, he wrote to the Duke of Anhalt, “condemns many doctrines of the pure gospel, though it also includes some true articles. It plainly prescribes that one is always bound to doubt one’s being in a state of grace and affirms that it is possible to observe the law of God. I have decided to publish it together with a refutation. It is very much to be regretted that the Council confirms ancient errors by its authority.” The Emperor’s advance into Saxony and the defeat of the Electors prevented Melanchthon from carrying out his plan for the publication and refutation of the decree.

It is of interest, in view of Melanchthon’s plan, that immediately after the Session the legates also thought of publicising the decree on justification by having it printed, so as to integrate it at once in the body of those truths which it is the Church’s mission to proclaim.

The decrees promulgated in the conciliar Session were not subject to the same law of secrecy as the preliminary drafts and the discussions to which they were subjected. Up to this time no official or semi-official promulgation of them, through the printing press, had been contemplated, were it only because they had not yet received papal approval. However, the legates had not been able to prevent certain enterprising printers from snatching at a chance of making a profit. Thus about the middle of the year 1546 the Paris printer Reginald Calderius published an edition, which teemed with errors, of the decrees of Sessions II-V. He also printed a list of the members, four sermons arbitrarily selected and the speeches of the envoys Francisco de Toledo and Pierre Danès on the occasion of the presentation of their credentials. In a reprint at Antwerp of this faulty Paris edition two further items were added, namely Mendoza’s inaugural address and the King of Portugal’s letter of 29 July 1545 to Paul III.<sup>1</sup>

contentiones de doctrina iustificationis”, *ibid.*, p. 403. On 5 March he writes to Duke Henry of Lüneburg: “Synodus Tridentina edidit impium decretum contra doctrinam veram de iustificatione”, *ibid.*, p. 423. However, the letter of 7 March to George Major, *ibid.*, p. 424, shows that Melanchthon was not in possession of the text of the decree; he had only been informed about a few alleged articles, for instance, *Anathema sit qui statuit se esse in gratia*, *ibid.*, p. 427. The undated letter to the Duke of Anhalt, at a time when he had an “exemplum decreti” at hand, *ibid.*, p. 445.

<sup>1</sup> A description of the Paris and Antwerp editions of the decree, with a sample of both texts in St Kuttner, *Decreta septem priorum sessionum Concilii Tridentini sub Paulo III Pont. Max.* (Washington 1945), pp. xxiv f. The earlier descriptions by Le Plat and Calenzio are rendered out of date by this publication.

Even greater alertness was displayed in the Protestant camp. Probably as early as the Spring of 1546, at any rate before the outbreak of the war, the decrees of *Sessio* IV were published in pamphlet form, with a polemical preface and marginal notes of a partly ironical and partly critical nature. After the outbreak of war, another edition, one independent of the Paris text, of all the decrees up to *Sessio* V, as well as of the July draft of the decree on justification, appeared without indication of the place of publication. In this edition the decrees were preceded by an exceedingly spiteful preface and each of them was followed by detailed polemical "observations". The list of members of the Council contained the names of only twenty-six bishops—mis-spelt in part—Melanchthon's epistle in which he rejects the Council, two documents relating to the war of Schmalkalden, the Bull of Indulgences of 15 July 1546, and the brief of 11 July addressed to the Catholic cantons of Switzerland. The whole book was an attack on the Pope, the Emperor and the Council.<sup>1</sup> The most notable item was undoubtedly the July draft. By what means did the Protestants get hold of a document which was only accessible to the relatively small circle of the members of the Council? It is a fact that in the general congregation of 3 December Del Monte took the news that a preliminary draft had been printed at Venice as an excuse to remind the prelates of the duty of secrecy.

In view of these unauthorised publications of conciliar decrees, and even of drafts of decrees, but even more because the circulation of the new decision was greatly to be desired, the legates decided, soon after the Session, to arrange for official publication. They accordingly instructed the Bishop of Salpi, who was about to leave for Venice on private business, to take with him a text ready for printing. At the same time they prayed Rome for an introductory brief, probably one

<sup>1</sup> The editor of the pamphlet: "Zwai Decret des Trientischen Konzili" (Schottenloher, no. 43209) was Martin Bucer. On the *Acta Concilii Tridentini anno MDXLVI celebrati una cum annotationibus piis et lectu dignissimis* (Schottenloher, no. 43208e), I have made use of copies in the library of the German Campo Santo in Rome and at the University Library of Freiburg. The polemical content of the *Annotationes* will be considered later on. A distinction must be made between the printed July draft in the *Acta* and the "due forme del decreto della giustificatione stampate in Alemagna", which Ottaviano Raverta sought in Venice for Cervini (his letter of 3 January, *C.T.*, VOL. v, p. 686, n. 2, complete text in Buschbell, *Reformation und Inquisition*, pp. 244 f.); Cochlaeus also seems to have seen them, *Z.K.G.*, XVIII (1897), p. 620 ("duo exemplaria"). I am equally unable to identify this edition or the Venetian one which Del Monte mentions on 3 December, *C.T.*, VOL. v, p. 686, l. 14. For the rest the decrees in the *Acta* are not falsified, as Buschbell thinks, VOL. x, p. 762, n. 3; in fact the text is better than that of either Paris or Antwerp, and is not dependent on the latter.

authorising the printing, which would be included in the publication.<sup>1</sup> Published in this fashion the decree would provide official guidance for preachers during the approaching season of Lent.

The Pope rejected the plan. An official publication, the legates were informed on 5 February, particularly of the covering brief which they solicited, was subject to such grave misgivings that the uncontrolled and uncontrollable private publications by friends and enemies alike were to be regarded as a lesser evil. The chief motive for this surprising decision remains unspoken but it may be ascertained with considerable probability. It is that in an official printing of the decree, accompanied by a brief, the Pope saw an anticipation of the papal approval. The plan, therefore, was not given effect, but with the legates' approval the nuncio in Venice had an accurate text printed for private circulation. In Paris, where neither the court, nor apparently the university, stinted their praise of the decree, the plan for an official publication was not acted upon, but the fact that such a plan was in existence was enough to justify the Pope's misgivings about the legates' intentions. An official publication of the decree in France, previous to confirmation by the Pope, would have meant that the decrees of the Council were authoritative without papal approval. The decree was printed at Venice but lacked official authorisation. The chief reason for the printing was the desire to integrate the Council's decision on justification immediately in the body of truth which it is the Church's mission to proclaim.

<sup>1</sup> The plan to have the decree on justification printed at Venice is developed in the legates' report of 23 January 1547, *C.T.*, vol. x, p. 799. Cervini's suggestion that the Pope should make it the guiding line for the Lenten preachers, *ibid.*, p. 802, l. 10. Farnese's negative answer on 5 February, *ibid.*, p. 807, l. 8. On the other hand on 22 February the legates write to the nuncio in Venice: "Quanto al decreto della iustificatione, per la ragione che V. S. ci scrive (not preserved), havemo giudicato esser bene ch'ella lasci stampare, purché non si stampi ne in nome suo ne nostro, et se facci diligentia di stamparlo corretto. Et perché si stampi col titolo che conviene, ne mandiamo la forma a V. S., vedendo maxime ch'ognuno erra in numerar le sessioni, essendo quest'ultima passata sesta et non quinta, computando l'apertione per la prima, come noi facciamo, et è ragionevole." Bibl. Ricci 4, fol. 123, or. On 27 March the legates confirm reception of the decree which contained only "pochi lochi scoretti", *ibid.*, fol. 131. They mean undoubtedly this edition: "DECRETUM/DE IUSTIFICATIONE,/ unanimi consensu omnium patrum approbatum et publicatum in sexta publica Sessione/Sacro sancti Oecumenici et generalis concilii Tridentini, die Jovis, Idib. Januarii. Anno Salutis/MDXLVII./VENETIIS, apud Andream Arrivabenum /Ne quis decretum hoc decennium vendat,/Summi Pontificis, Senatusq. Veneti cautum est/privilegiis./12 Bll in 8<sup>o</sup>."—D. Giuseppe Alberigo of Bologna, to whom I owe the description, knows of copies in the Bibl. Trivulziana (Milan), signature H, 2823, int. 3, and in the Biblioteca Vaticana, R. I. (Racolta Prima), IV, 2177/17.

## The Bishops' Obligation of Residence—The Pivot of Church Reform

No occurrence in the history of the Council of Trent is less readily understood by the twentieth century than the struggle over the duty of residence of bishops and parish priests which began during the first period of the Council and was only finally decided in the third. To us at this day it seems the most obvious thing in the world that a bishop should personally administer his diocese and a parish priest his parish, and discharge their apostolic office by personal exertion. In the Church of the late Middle Ages this notion was by no means taken for granted. It had become an established custom to treat a benefice founded for the support of men charged with ecclesiastical duties as a financial asset and a profitable possession, while the duties connected with it were regarded as separable from the person of the holder and capable of being carried out by a substitute. There was nothing exceptional in a bishop ruling his diocese through a vicar general and having the functions reserved to a consecrated bishop, such as ordinations or the consecration of churches, carried out by an auxiliary, while he himself resided outside the boundaries of the diocese. Similar abuses obtained on the parochial level. The absentee parish priest, having asked for, and obtained, a dispensation from the obligation of residence, would look for a substitute (a vicar) who carried out the pastoral duties in his place, against payment—often inadequate—by his employer. Benefice and duty, *beneficium* and *officium* fell asunder.

The neglect of the duty of residence was closely connected with the accumulation of benefices (*cumulatio beneficiorum*), that is, the union in one hand of several benefices. The practice was expressly forbidden by Canon Law and the duty of residence enjoined <sup>1</sup> but the exceptions in

<sup>1</sup> The most important and continually quoted directions of Canon Law concerning the accumulation of benefices and the obligation of residence are c. 28 *De multa X de praeb. et dignitatibus* III 5, the same as c. 29 of the fourth Lateran Council; c. 3 *Quia nonnulli X de clericis non residentibus* III 4; the *Extravagans* of John XXII; c. 4 *Execrabilis de praeb. et dign.* III 2; yet the *Liber diurnus* (ed. Th. Sickel, Vienna 1889, p. 79) already contained in Formula 74 the bishop's promise "sine sedis apostolicae ad

favour of highly placed (*sublimes*) or learned (*litterati*) clerics, for which provision was made, had been extended as a result of the Curia's laxity in granting dispensations. Ways and means had also been devised to circumvent the canonical prohibition of the cumulation of benefices so as to give it a semblance of legality, as for instance, by the union (*unio, annexio*) of two benefices, though incompatible in themselves, for the holder's lifetime, or by the incorporation of a benefice in an ecclesiastical body (chapter, university or monastery). The chief beneficiaries of this curial practice were the cardinals. Although bound to reside in the place of the Pope's residence they frequently acquired not only an episcopal see, often at a great distance from Rome, with all its rights (*in titulum*), but likewise the administration of further dioceses which they not infrequently—and after a short time—passed on to their relatives or families by way of resignation, but in such wise as to reserve to themselves either the whole, or part of the revenues, as well as the administration and in the event of a vacancy, the regress. By this means they remained in practical control of the diocese. One example from the period of the Medici Popes will suffice to explain the practice.

Pietro Accolti, a cardinal from 1511 to 1532, held the diocese of Ancona between 1505 and 1515, when he resigned it in favour of his sixteen-year-old nephew Francesco while retaining the revenues and the regress, with the result that in 1523 he was able to pass on the diocese to yet another nephew of the name of Baldovinetti. The same process was repeated in connection with the archbishopric of Ravenna which he

comitatum nullatenus proficisci nec per diversas provincias aut civitates discurrere, quatenus ecclesiam meam videar sine qualibet occasione deserere". *Sessio IX*, c. 7, of the fifth Lateran Council, departing from the ancient law, granted dispensations for the possession of four incompatible benefices.—Cf. J. Luczak, *La résidence des évêques dans la législation canonique avant le concile de Trente* (Paris 1931); more concisely H. E. Feine, *Kirchliche Rechtsgeschichte*, vol. 1<sup>2</sup> (Weimar 1954), pp. 349 ff. I have also made use of the Würzburg "Habilitationsschrift" (not yet printed) of Th. Freudenberger, *Die Verhandlungen über die Residenzpflicht der Bischöfe während der ersten Periode des Konzils von Trient* (1938), in which the conciliar negotiations are much more fully described than considerations of space have allowed me to do. Besides the example of Cardinal Accolti which I have selected, the third volume of *Hierarchia Catholica* (by Eubel—van Gulik) contains further crushing material on the accumulation of bishoprics by the cardinals, e.g. even Cardinals Antonio Del Monte, Lorenzo Campeggio and others. For the union of bishoprics and curial offices see Hofmann, *Geschichte der kurialen Behörden*, vol. 1, pp. 154 f.; Cerchiari, *S. Romana Rota*, vol. II, p. 73. In *Orientalia christiana*, x (1944), pp. 103 f., G. Hofmann has pointed out that the neglect of the duty of residence by the Latin bishops of the island of Crete was one of the causes of its falling into the Greek schism. The synod of 1486 established the fact that four bishops of the Latin rite did not reside and accordingly arranged for their replacement.

obtained in 1524 and immediately passed on to his nephew Benedetto. On the same conditions he had previously in 1521 passed on the Spanish bishopric of Cadiz which he had held since 1511. But besides these dioceses Accolti also held, temporarily, between 1511 and 1518, the French diocese of Maillesaiz and between 1518 and 1521 he was administrator of the archdiocese of Arras. There had never been any question of the cardinal taking up residence in any one of these distant dioceses. He retained the administration of Ravenna and Ancona although since 1523 he had been Cardinal-Bishop of Albano, and after that of Palestrina and finally of Sabina.

In addition to dioceses the cardinals of the Renaissance also regularly owned abbeys *in commendam*, canonries and simple benefices, as well as wealthy parishes which they administered through vicars when they did not pass them on to some member of their court. In the latter case the benefices were nothing else than a form of compensation for services rendered. The man who entered the *famiglia* of a cardinal as a chaplain or a secretary was practically certain of obtaining a benefice of this kind, and if he gave satisfaction he could be sure of rising to higher dignities, perhaps even to the episcopate, thanks to the influence of his *padrone*. It was not by any means a rare occurrence for bishops of small dioceses to remain in the court of a cardinal even after their appointment to the episcopate.

Another impediment to residence lay in the bestowal of dioceses on men holding high offices at the Curia. The practice had established itself during the Great Schism when the bishops appointed by the Popes of the Roman obedience were unable to take possession of their dioceses situated within the territories of the Avignon Popes, and for that reason were allowed to retain their offices at the Curia, or take up new ones. At the termination of the Schism a return was made to the old principle that bishoprics and curial offices could not be combined—were incompatible—but from the middle of the fifteenth century the principle had been frequently overridden as the venality of curial offices became accepted.

When Innocent VIII raised the number of papal secretaries from six to twenty-four, there were ten bishops among them. Of the secretaries who entered upon office between 1528 and 1540, one-third were bishops. If a lesser, or a minor curial office, such as that of the *abbreviator* or the *solicitor* of the Chancery did not of necessity require the personal presence of the official in question, the higher offices demanded it imperatively, and accordingly excluded the possibility of

residence in a distant diocese. In his capacity of regent of the Chancery Tommaso Campeggio had to superintend this gigantic department and was accordingly unable to reside in his diocese of Feltre. The same was true of Cicada, the auditor of the Camera, and his diocese of Albenga in Liguria; of Archinto, the Pope's vicar for the diocese of Rome, and his diocese of Saluzzo in Piedmont. On 23 August 1485 Innocent VIII had ordained that the office of a judge of the Rota was to be regarded as vacant when its occupant was raised to the episcopate, but this constitution had never been rigorously carried into effect. The bestowal of bishoprics on men who held high offices at the Curia, together with the close connection of bishops with the courts of cardinals, as described above, resulted in a great number of bishops living in Rome without any real reason. Their number amounted to over eighty when, on 13 December 1540, Paul III exhorted them to comply with their duty of residence.

The ordinary nuncios whom the Popes maintained at the courts of a number of princes were as a rule not titular but ruling bishops, nor were they the only representatives of their order in the diplomatic corps of the sixteenth century. The French kings were always ready to reward their experienced diplomatists with a nomination to a profitable diocese, while they continued to make use of them in the diplomatic service. Other princes copied their example. Even Charles V, who exercised his right of nomination most conscientiously, and who insisted on the duty of residence, not infrequently entrusted high offices of State to bishops. Thus he commissioned Pacheco, Bishop of Mondoñedo since 1532, to reform the royal Chanceries of Valladolid and Granada. The Bishop of Astorga, with whom the reader is by now well acquainted, became President of the Chancery of Granada as late as the year 1548. It was proceedings such as these that Martin Pérez de Ayala had in mind when in his comments on the position and duties of bishops he pointed out that the taking up even of the post of president would be no excuse before the judgment-seat of God for the neglect of the duty of residence.

However, the ultimate cause of this neglect lay with the bishops themselves. It cannot be denied that their administration was often enough rendered extremely difficult by the interference of the secular power and even by that of the officials and the tribunals of the Curia. On the other hand for many of them the *impedimenta residentiae* were a welcome excuse for absenting themselves from their dioceses. Next to Rome, Venice was a favourite resort of bishops both of the mainland and of the Venetian possessions in the Balkans and the Greek islands,

who preferred the life of the stimulating metropolis to the depressing conditions of their dioceses. The ease with which men looked for excuses from the duty of residence, and found them, sufficiently explains why earnest and truly religious men saw that the most effective remedy against this abuse was to be sought in the sphere of conscience. Cardinal Cajetan was the first to maintain in his commentary on the *Summa* of St Thomas (1517) that the episcopal duty of residence rested on a direct divine ordinance so that only the most weighty motives could excuse from it, such as a violent persecution of the Church, the care of the general interests of the whole Church or of the diocese, or certain personal circumstances.<sup>1</sup> However, this attempt in the sphere of conscience failed to make the slightest impression. During the reign of Charles V the dioceses of the Duchy of Milan "were left to themselves for the most part and nearly throughout the whole of that period, like members without a head, ships without pilots" (Chabod). Not once did Cardinal Ippolito d'Este personally visit the archdiocese of Milan which he held from 1520 to 1550.

It was an understood thing among the champions of Catholic reform that the bishops' neglect of the duty of residence and of their pastoral duties, was one of the most grievous abuses that had to be removed; the only question was "by what means?"<sup>2</sup>

<sup>1</sup> The passage on the *ius divinum* of the duty of residence is in Cajetan's commentary on the 2a 2ae, q. 185, a. 5 of the *Summa theologiae* of St Thomas, ed. Leonina VOL. X (Rome 1899), p. 476. Cajetan obviously adopts the stricter view of the theologians and his opinion was adopted by the Dominican general Francesco Romeo di Castiglione in a tract composed during the Council, *C.T.*, VOL. XII, pp. 737-43, the aim of which was to show "canonistas contradicentes simul cum aliis, quibus durus est hic sermo, valde errare", *ibid.*, p. 738, l. 5. F. Stegmüller, "Die neugefundene Pariser Benefizien-Disputation des Kardinals Hugo von St Cher", *H.Ź.*, LXXII (1952), pp. 176-204, shows that in his disputation against the plurality of benefices held in 1235, the cardinal defends the opinion that the holder of several benefices commits a grave sin. Ludolph of Saxony in his *Vita Christi*, VOL. I, p. 54, also puts the question whether the dispensation "super absentia seu non residentia" also referred to the sins which were bound to be caused by the absence of the shepherds; "bene eis esset", he goes on to say, "si haberent vicarium in tormentis sicut excusando se dicunt habere in beneficiis". The whole passage is printed by L. Pfleger in *H.Ź.*, XXIX (1908), p. 98. The neglect of the duty of residence by the bishops of the territory of Milan is described by F. Chabod, "Per la storia religiosa dello Stato di Milano durante il dominio di Carlo V", *Annuario del R. Istituto Storico italiano per l'età moderna e contemporanea*, 2/3 (1936-7), pp. 31-4.

<sup>2</sup> From the Council of Basle to that of Trent the demand that the bishops comply with the duty of residence runs through every memorial dealing with reform and every attempt to bring one about. We find it in Domenichi, *Pastor*, VOL. II, p. 188 (Eng. edn., VOL. III, pp. 269 f.), in Nicholas of Cusa, *H.Ź.*, XXXII (1911), pp. 295 f.; Pius II's Reform Bull allows only cardinal-bishops to hold a second bishopric, cf. R. Haubst, "Der Reformentwurf Pius II", *R.Q.*, XLIX (1954), p. 232. The Bull *Supernae dispositionis arbitrio*, published in *Sessio IX* of the fifth Lateran Council, *Bull. Rom.*, VOL. V, pp. 604 ff. (no. 8). Further material in the conciliar tracts: *C.T.*, VOL. XII, p. 71, l. 38



The advocates of a strict line, from Nicholas of Cusa down to the author of the *Consilium de emendanda Ecclesia*, made the following demands: No cardinal and no officer of the Curia may own a diocese; the cardinalate and all curial offices must be declared incompatible with the holding of a bishopric. However, the majority thought these radical measures incapable of execution and looked for milder remedies. Pius II's Reform Bull stipulated that cardinals (with the exception of cardinal-bishops) could only hold one bishopric outside Rome. The fifth Lateran Council forbade the cardinals the possession of more than four benefices and denied them a dispensation for more than two incompatible ones. It failed, however, to enforce a strict observance of episcopal residence and while seeking to circumscribe the evil, sanctioned it at the same time. Under Paul III, Tommaso Campeggio proposed another compromise: bishops in the service of the Pope were to be bound to visit their dioceses at least every three years, while the others were to be firmly sent back to their dioceses. The measure was inadequate, as was Paul III's attempt to render residence attractive by the concession of important privileges to residing bishops. We have seen already (CH. IV) that the Bull drafted at the end of the year 1541, "in favour of the ordinances", met with opposition from the College of Cardinals and was never promulgated. The Council saw itself faced by the same abuses, frequently pitiable ones, the existence of which could not be denied, but which it had been impossible so far to clear out of the way. This much was plain: mere injunctions of the duty of residence would lead nowhere, unless at the same time the deeper causes, above all the accumulation of benefices, and other impediments to residence occasioned both by the secular power and by the Curia were removed, or at least mitigated. But what was even more important was that the new conception of the episcopal office, which was fundamentally the ancient one, should prevail throughout the Church.

The obvious gap between the ideal and the real was ever more acutely felt as the years went by and the reform movement gathered strength, with the result that the problem of residence inevitably came to occupy a central position in the reform programme. The observance of residence by bishops and parish priests appeared to the reformers as an indispensable preliminary of the rehabilitation and strengthening of an orderly pastoral activity, in fact in their eyes the two things were

(Carafa's reform tract of 1532); *ibid.*, pp. 138, l. 6; 139, l. 10 (*Consilium de emendanda ecclesia*); *ibid.*, p. 274, l. 39 (reform tract of 1539-40); although the neglect of residence was less frequent in the German dioceses than elsewhere, Nausea nevertheless mentions it, *ibid.*, p. 398, l. 42.

almost identical. However, it was not until May and June 1546 that they succeeded in getting the problem of residence into the conciliar agenda. There then followed a lengthy pause during which the hopes of the friends of reform were sorely tested. Shortly before *Sessio* VI, Del Monte redeemed his promise to have the problem of residence discussed in due time, but he continued to insist on the principle of a "small solution", which meant that the duty of residence would be strongly urged while the deeper causes of its neglect would not be removed. The compromise to which he finally agreed—the decree on residence of *Sessio* VI—satisfied neither the Hispano-Italian reform group nor the curial party. After the Session the problem was submitted for discussion in its full extent—"the great solution". The reform decree of *Sessio* VII, which was meant to supplement the one passed at the previous Session, was only a beginning of the great renewal of the pastoral ministry which the reformers had in mind—a part-payment of a debt piled up by centuries of neglect and error. The real value of such a beginning—its gold-value—would only become apparent in the enforcement of the laws.

We are now going to follow up this first stage of the great controversy about the central problem of Church reform in all its various phases, from the discussion in the spring of 1546 up to *Sessio* VII.

The first move towards a discussion of the problem of residence was made as early as March 1546 by the Bishop of Astorga, Diego de Alabá y Esquivel, who together with the Bishops of Calahorra and Badajoz proved the most decided and most fearless champions of a thorough reform of the Church, during the whole of the ensuing debates. In the commission appointed for the purpose of drawing up a list of abuses in connection with the use of Holy Scripture, he said: "Preaching must once more become the business of bishops and parish priests since that is the very purpose for which they are appointed. But this is not possible if they do not comply with the duty of residence."<sup>1</sup>

<sup>1</sup> The debates on the obligation of residence held in the general congregations of 21 May and 9 and 10 June 1546: The Bishop of Astorga's attack in the *Deputatio de abusibus*, according to Severoli's report of 24 March 1546, *C.T.*, VOL. X, p. 423, l. 23. The general congregation of 21 May, after *C.T.*, VOL. I, pp. 61-4; VOL. V, pp. 152-8; the number twenty-seven is that calculated by Freudenberger; since there were forty-eight prelates present they constituted a majority. The view maintained by Rainer, "Predigtdekret", *Z.K.Th.*, xxxix (1915), p. 502, that only eight Fathers had declared in favour of an immediate debate on the duty of residence is erroneous. The general congregations of 9 and 10 June, after *C.T.*, VOL. I, pp. 70-5; VOL. V, pp. 209-16; there also, p. 213, l. 37, the statement of the Bishop of Lanciano mentioned in the text;

On that occasion the Bishop of Fano had not only stopped the attack, but had succeeded in getting the subject of episcopal residence removed from the commission's report which was laid before the plenary assembly on 5 April, in spite of the fact that the prescriptions laid down in it, to the effect that bishops were bound to preach on all Sundays and holy days, would be stultified if the bishops did not reside in their dioceses. There can be no doubt that the Bishop of Fano's action suited the legates. At this time they may still have entertained a hope that the Pope would anticipate their action by speeding a reform of the Curia and so render a conciliar debate of the complex problem superfluous. The Pope's decision, some time after Easter, to leave in principle the whole complex problem of reform, including the reform of the Curia, in the hands of the Council, did not immediately cause them to change their tactics; they continued to practise great reserve. This was Del Monte's doing, for it was he who set the pace in the questions of Canon Law and Church discipline. But the current in the opposite direction could not be resisted.

While the decree on preaching was being debated the imperial group, supported by such Italian bishops as were keen on a reform, for instance, the Bishops of Sinigaglia and Fiesole, did its utmost to get the duty of residence placed on the agenda. There were so many material grounds for such a step that in the general congregation of 21 May twenty-seven prelates accordingly advocated a widening of the programme. Del Monte found himself compelled to promise that the subject of residence would be submitted for discussion "at the proper time" (*suo loco*). However, unavoidable though it seemed at the time, no widening of the programme occurred. In the general congregation of 28 May the legates succeeded in securing what for them was an urgent need in the programme, namely a debate on original sin, but they realised that the temporising tactics hitherto pursued by them exposed them to the accusation of wishing to delay the debate on residence. Sooner or later this question had to be ventilated. The great debate put the vastness and the complexity of the whole problem in so clear a light that the separation of the duty of residence from the decree on preaching, as well as the postponement of the general debate

that of the Bishop of Sassari, after *C.T.*, VOL. I, p. 71, l. 12; the Bishops of Fano and Vaison on the interference by the secular arm, VOL. I, p. 72, ll. 23 and 46; Nobili and Florimonte, *ibid.*, p. 72, ll. 19 and 33; the legates' reports of 9 and 12 June, VOL. X, pp. 520-3 are supplemented by the letter of the Bishop of Matera to Farnese, 17 June, in which grave accusations are made against the adherents of the *ius divinum* in the curial camp (the Bishops of Bitonto and Fano).

HIER·FRACA STORIVS.



GIROLAMO FRACASTORO

*From a photograph belonging to the Comitato per il IV Centenario  
del Concilio di Trento*



until after *Sessio* V, would no longer meet with any serious opposition. This expectation of theirs was fulfilled.

In the general congregations of 9 and 10 June—the first “residence debate” of the Council—the bishops in favour of reform, whatever their particular tendency may have been, did not by any means confine themselves to answering the president’s question about the penalties to be inflicted for the neglect of the duty of residence, on the contrary, all of them spoke with the utmost freedom both about their personal anxiety and about what they felt needed doing. The curialists alone, men like the Bishops of Matera, Feltre and Belcastro, defended the view that it was enough to renew and enforce existing laws on residence—and let the Pope see to their execution! It was obvious that though they were willing to have the most crying abuses corrected, they had no wish for any considerable change in the actual situation. What is surprising is that they were joined by two Spaniards, the Bishops of Badajoz and Huesca. On the other hand, the Bishop of Feltre did not want things to remain as they were. This we gather from his proposal that the cardinals should be required to visit their dioceses at least once every three years. Quite recently too, on 16 April, the Pope had refused a dispensation to Cardinals Bourbon and Este for further accumulations of bishoprics.

On the other hand it is not difficult to see that the curialists’ proposals could not satisfy the reformers who insisted on new and heavier penalties for the neglect of residence as well as independent means for their execution. Pacheco, and in his wake the Archbishop of Aix and the Bishops of Naxos, Rieti, Worcester and Aquino were of opinion that the proper punishment for an absence of six months was the forfeiture of the revenues, while an absence of two years should be punished by deposition. The Bishops of Sinigaglia and Ascoli demanded that an absence of even three months should entail the loss of half the revenues, and if the offence was repeated twice, the penalty was to be deposition. The Bishop of Calahorra went still further: if a bishop was absent, without excuse, for three months, he was to forfeit the income of the whole year; if he repeated the offence he was to be deposed. Opinions were even more divided when it came to the question as to who should be entrusted with the duty of putting these penalties into effect. Pacheco and six other bishops suggested the provincial synod. The Archbishop of Aix and the Bishops of Sassari and Naxos proposed the metropolitan. Lippomani suggested the bishop of a neighbouring see while the Bishop of Astorga proposed the cathedral chapter, or the

administrator of the *fabrica*, that is, of the revenues of the cathedral. All these suggestions started from a conviction that effective control could not be exercised by the distant Curia, but must be committed to an authority residing near at hand. On the other hand each of these proposals was subject to serious objections so that it is not surprising that besides the curialists, prelates like the Bishop of Calahorra and even the Bishop of Fiesole felt that the execution of the decree could not be entrusted to better hands than those of the Pope.

If differences of opinion even on these surface questions cut right across national and other groups, they did so far more drastically in respect of the ultimate problems, the deeper causes of the bishops' failure to obey the law of residence. Cajetan's suggestion to declare the obligation of residence to be a divine ordinance received the support not only of the Spanish Bishops of Astorga, Calahorra, Badajoz and Lanciano, of the English Bishop of Worcester, the Italian Bishops of Sinigaglia and Aquino, but also that of the most outstanding among the legates' adherents, the Bishops of Fano and Bitonto, as well as of Seripando and Bonuccio—all of them men whom no one could suspect of being actuated by episcopalistic motives or a wish to curtail the Pope's dispensing power. Their only common aim was to bring home to each individual bishop the gravity of his responsibility. What they sought to do away with was not the concession of dispensations but the request for them. Nor did they in any wise deny the existence of "impediments", or more correctly of difficulties in the observance of residence, but as Bishop Lippomani, the Archbishop of Armagh and Seripando pointed out, these difficulties were not such as to justify episcopal absenteeism. In the course of the debate some truly shameful facts came to light. The Bishop of Lanciano reported that in his diocese a concubinary had avoided punishment by getting himself named an apostolic protonotary, thereby securing exemption. The Archbishop of Sassari complained that in his diocese the number of exempt clerics exceeded that of those subject to his jurisdiction. How could a bishop do any useful work in such conditions? His prestige and authority were so frequently infringed by the personal intervention, totally unjustified by material facts, of curial offices and tribunals, that it was easy to explain, though not to excuse, his ending by abstaining from any effective action and allowing things to slide. It was poor comfort that the interferences and encroachments of the secular power were no less numerous than those of the Curia. The former, as the Bishop of Fano rightly observed, lay even more heavily on the individual

conscience inasmuch as, unlike the latter, they did not originate from his ecclesiastical superior.

What the June debate made clear was the fact that it was not easy for a bishop, conscious of his responsibility, to meet the demands of his office. On the other hand, if in the face of his difficulties he gave up the struggle and left his diocese, he became guilty of an even more grievous betrayal of the duties of his office. How was he to extricate himself from such a dilemma?

Two prelates supplied an answer that went to the root of the matter. For De' Nobili it was the restoration of the authority of the bishops. This was the real purpose of the Council and for this it provided an opportunity such as would not recur in a hundred years. This was the episcopalistic solution which De' Nobili thought would eventually meet with the Pope's approval. The other solution was proposed by Galeazzo Florimonte, Bishop of Aquino: an improvement would only be achieved when the Curia radically altered its policy and abandoned altogether the practice of bestowing bishoprics and other pastoral benefices on unsuitable and unworthy persons for the sole purpose of making provision for them. This would lead to a renewal of the Papacy.

At the conclusion of the general congregation of 10 June, Del Monte felt it was his duty to defend the Popes against the accusation that they had systematically curtailed the prerogatives of the bishops. He emphatically rejected the proclamation of the *ius divinum*, since its aim was the control of the Pope. As for the cardinals, the Pope would himself take appropriate measures. Did Del Monte seriously believe in his ability to postpone the discussion of these questions to a future occasion, now that they had been broached? If so, the legates were faced with a hard struggle. This much at least had become evident: the discussion of the problem of residence had released an avalanche of demands for further reforms—and this was just what the legates had wanted to show. At the conclusion of the congregation Cervini saw with satisfaction that the postponement of the debate on residence until after *Sessio V* commanded a clear majority (28 votes against 18) which included even the Spaniards, the Bishops of Badajoz, Capaccio and Castellamare. To them a postponement of the debate seemed preferable to the abandonment of a discussion of the impediments. Pacheco, however, maintained his demand for new legislation on the duty of residence to be passed jointly with the decree on preaching while professing his readiness to leave the removal of the impediments to the Pope.



Why did not the legates seize this opportunity for solving the problem of residence by an exclusively prohibitory decree, in accordance with their own wishes? Their chief motive in not doing so must have been their anxiety to complete the decree on original sin so as to enable them to hold the Session on the appointed date. They were also actuated by another consideration of a decisive nature. If they were to propose now, in great haste, a decree on residence, the proclamation of the *ius divinum* would scarcely be avoidable: a majority in its favour was practically assured. They accordingly deemed it more expedient, or at least the lesser of two evils, to put up with a debate on the impediments at a future date since such a discussion was inescapable in the long run. On 12 June they requested the Pope to have the whole complex problem examined by the commission of cardinals for the affairs of the Council and to get them to work out directions for their own conduct. Soon after the Session, on 21 June, they requested the bishops to draw up and hand in a list of all the external hindrances to their activity with which they had to contend in their respective dioceses; that is, the *impedimenta*. With the help of these memorials they hoped to obtain, even before the opening of the actual debate, a general idea of the reforms desired by the bishops as well as to gain time to adjust their tactics to those of Rome. On the other hand they rejected the proposal repeatedly made (on 21 June by Pacheco, on 30 June by the Bishops of Sassari and Sinigaglia) for the formation of a commission for the preparation of a decree on residence, for they were anxious to have a free hand in this matter as well as in the fixing of the time-table. At this time they did not yet know how their plan for grappling with the problem of residence would be viewed in Rome. In point of fact Farnese's instructions of 30 June contained the information that the cardinals of the conciliar commission would not hear of a discussion of the *ius divinum* and of the inclusion of the cardinals in the decree.

In the last days of June the first memorials on the *impedimenta* came into the legates' hands,<sup>1</sup> though it needed fresh exhortations on the part

<sup>1</sup> Cervini's invitation to the members of the Council for lists of the *impedimenta residentiae*, C.T., VOL. I, p. 82, l. 28; VOL. V, p. 257, l. 14. Pacheco's proposal for a commission, VOL. I, p. 81, l. 15, is not mentioned in the protocol, VOL. V, p. 257. The disapproval by the Roman commission of the inclusion of the *ius divinum* and the reform of the cardinals, VOL. X, p. 544, l. 43. The two summaries despatched to Rome on 8 July, VOL. V, pp. 839-44, and VOL. X, p. 554, l. 29, arrived at Frascati on 14 July, *ibid.*, p. 560, n. 3. The session of the committee took place on the 18th, *ibid.*, p. 566, l. 28. Although Santa Fiora spoke of the answers being got ready as early as the 21st, *ibid.*, p. 570, l. 26, they were only despatched on the 24th, *ibid.*, p. 576, l. 15. Repeated

of the president as well as soothing assurances to set the pens agoing. The fact was that a number of prelates were afraid that the memorials and the names of their authors would be forwarded to Rome, where they would call forth displeasure if they spoke their minds freely. Del Monte accordingly assured them of his discretion. He also agreed to several prelates uniting their efforts to produce a joint memorial. This concession started a more generous flow of such documents. On 8 July the legates forwarded to Rome two summaries of the chief contents of the memorials that had been sent in so far, one dealing with the impediments created by the Curia and the other with those caused by the secular power. On a third sheet they set down the concessions which, in their opinion, the Pope could, and indeed should, grant to the bishops. On 15 July they forwarded to Rome a supplementary memorial drawn up by the three Spanish Bishops of Badajoz, Astorga and Huesca.

It is matter for regret that only a fraction of this extensive documentary material for Church reform should have come down to us, namely six complete memorials, the legates' two summaries and a list of "complaints" of Spanish bishops. On the other hand the proposals of the legates and the "answers" of the Roman commission to be mentioned presently, have not been preserved, but what remains is sufficient to enable us to form an idea of the reforms desired at that time by the members of the Council. The impediments by which their ministry was hampered, they stated, came from two directions, the secular power on one side and the Curia on the other.

The impediments occasioned by the secular power, on which De' Nobili of Lucca and the humanist Girolamo Vida, Bishop of Alba, expatiated in particular, would require a detailed explanation on account of their close connection with the ecclesiastico-political systems of individual States. But as they were never seriously debated at the

requests for speed by the legates, *ibid.*, pp. 564, l. 30; 569, l. 18. Only six memorials have been preserved in the original text, VOL. XII, pp. 578-97 (nos. 84-9); no. 90 serves another purpose and no. 91 is a summary based on the Bishop of Calahorra's memorial and some other Spanish *gravamina* (art. 18-22); in any case these *gravamina* are not identical with the *notula* of the Bishops of Astorga, Badajoz and Huesca mentioned in VOL. X, p. 565, l. 9. That more than six memorials were handed in and were used in the summaries appears from the fact that several articles contained in them are missing in the copies before us, e.g. C.T., VOL. V, pp. 840, l. 42; 841, l. 10; 842, l. 36. It was perhaps at this time that another undated memorial was composed. It treats "de algunas cosas que al presente conviene remediar sobre las vexaciones de Roma" (Madrid, Bibl. Nacional, 9151, fol. 32<sup>v</sup>); which states that a certain Labrador de Algete had applied for and obtained in one application ten benefices, seven of which had the cure of souls attached to them.

Council we may content ourselves with registering their tenor. They are in part the old complaints of the disregard of the canonical privileges of clerics, namely exemption from taxation and the jurisdiction of secular tribunals, and in part protests against the tendency of feudal lords and the modern State to restrict the jurisdiction of bishops to within the narrowest boundaries of the spiritual sphere and to influence appointments and the administration of Church property. The parliament of Turin, De' Nobili complained, meddled with matrimonial questions and the bestowal of benefices; did not differentiate between ecclesiastical and secular property; prevented the laity in disputes over the tenth or the revenues of benefices, from seeking redress in an ecclesiastical judge's court, or from spontaneously submitting to its jurisdiction. Laymen arrogated to themselves the right of disposing of benefices. When a bishop sought an audience with a secular magnate, the latter's counsellors did their best to prevent his being admitted into his presence. The bishop considered himself lucky if they listened to his request and did not compel him to wait with the crowd in the antechamber. Vida, whose diocese was situated in Lombardy, does not go into as many details as De' Nobili, but he too complains of the curtailment of episcopal jurisdiction, the reckless taxation of Church property and even of interference in the spiritual sphere by the conveyance of benefices. With a view to putting an end to such a situation the Council should add to the canons about to be drawn up a request to the Emperor and all the other princes to respect the prerogatives of the Church. *A request*—for Vida evidently felt that it would be useless to make a formal demand. The Spanish and French bishops either kept a dead silence on the subject of Erastianism, or only touched upon it superficially. It is easy to feel the extent to which the Church had been forced into a defensive attitude.

In the memorials that have come down to us the impediments due to the Curia occupy far more space than those originating from the secular power. Lest we lose our way in this wilderness we select three memorials of different origin, namely an Italian, a French and a Spanish. The Bishop of Alba, Girolamo Vida, who has already been mentioned, confines himself to four points: (1) "Almost all clerics, both secular and regular, are withdrawn from the bishop's jurisdiction through the privilege of exemption; (2) the bishop is excluded from legal cases tried by the Curia; these cases are passed on to delegated judges, the nominees, very often, of one of the parties, with the result that offenders are seldom punished, or not at all, while the bishop, anxious to avoid

unpleasantness, remains passive; (3) appointments to important pastoral benefices are made by the Curia so that the bishop is in no position to choose for his collaborators the men whom he considers to be the most suitable; (4) the bishop's revenues, slender as they are, are further diminished by papal imposts." For the removal of these abuses Vida looks not to the Council but to the Pope; from him he expects action to this effect, for the sake of the well-being of the Christian people.

Guillaume du Prat, Bishop of Clermont, speaks in unsparing, but reasonable and plain terms. He too assigns first place to exemptions. It is difficult to estimate how much lawlessness, unpunished sin and scandal of the faithful arises from the exemption of cathedral chapters. When subordinates of a bishop render themselves liable to punishment they seek admission to the household of an exempt canon and in this way find asylum. Truly alarming are the abuses in the pastoral ministry, all of which can be traced back to dispensations that enable a man to hold incompatible benefices, and dispensations from the obligation of residence. In the diocese of Clermont, which counts over eight hundred parishes, scarcely sixty parish priests perform their ministry in person—the rest do so through substitutes. In the case of incorporated parishes the substitutes employed by chapters and monasteries, which frequently derive from them as much as a hundred florins by way of revenues, receive a salary of no more than ten or twelve florins so that their personal poverty prevents them even from defending themselves against so great an injustice. By simply resigning benefices of which he is the holder, an official at the Curia is in a position to pass them on—even parishes—to his relatives, often enough mere children, or to some other, utterly unsuitable persons, without any previous examination as to their fitness for the cure of souls. The examination of candidates for ordination is circumvented by the expedient that though they have been rejected by the bishop they get a dispensation from the Curia authorising them to have themselves ordained "by any bishop of their own choice" (*a quocumque*). All the evils here enumerated have their roots in Rome; they are: exemptions, dispensations for holding incompatible benefices, having oneself ordained *a quocumque*, the numerous incorporations and the resignations by members of the Curia.

The best informed and the most carefully thought out of all the memorials that have been preserved is undoubtedly that of the Bishop of Calahorra, Juan Bernal Díaz de Luco, who had only recently

become a bishop (1545) but who, as Vicar General of Salamanca and official of Toledo, had gathered sufficient experience to enable him not only to point out and lament abuses, but on the basis of Canon Law and ecclesiastical custom, to indicate practical ways towards a reform, a number of which the Council actually entered upon at a later period. By order of the Archbishop of Toledo he had drawn up, in 1539, a pastoral instruction for parish priests ("aviso de curas"), and at Trent he had been busy collecting biographies of saintly bishops. A few years later, in the preface to his great collection of "Lives of Saints" (1551), Lippomani, his colleague in those days, described him "as a shining example for the bishops of our time". Such was also the legates' opinion of him even then.<sup>1</sup> He was therefore well entitled to be heard. At the head of his list he puts significantly enough the reform of the right of conferring Holy Orders. The ordination of unsuitable and unworthy candidates can only be stopped by the revocation of the faculty granted to titular bishops and nuncios to confer Orders without the concurrence of the respective ordinary. Similar faculties granted to chapters *sede vacante* must also be revoked. Not new but peculiarly Spanish is the fight against the exemptions of cathedral chapters which enables them "to scorn bishops and to live licentiously, to the scandal of the people". (Soon afterwards, in September 1546, the Bishop of Calahorra sought to obtain from Rome the revocation of the exemption of two collegiate churches.) The bishop must, on principle, have the right of personally choosing the shepherds of the souls entrusted to his care and to reject such candidates presented by patrons as in his opinion do not come up to requirements. The best way to this end would be the introduction of an examination of parish priests. Bishop Díaz is aware of the fact that the adverse financial situation of the pastoral clergy was responsible for many of the abuses, hence the priests' material position must be improved. In the administration of the sacraments the rights of the parish priests must be restored. In punitive proceedings against clerics the bishop's court must always be the first instance which may not be passed by; the Penitenzieria must not be allowed any jurisdiction *pro foro externo*

<sup>1</sup> The Bishop of Calahorra's memorial, *C.T.*, VOL. XII, pp. 590-4; on the author see Gutiérrez, *Españoles*, pp. 586-607; the legates' favourable opinion of him, *C.T.*, VOL. X, p. 641, l. 8. I was unable to see T. Marín Martínez' dissertation, "El doctor J. B. Díaz Luco, obispo de Calahorra" (*Comillas*, 1946); the catalogue of Calahorra's library is most revealing about his scientific and literary tastes, cf. T. Marín Martínez, "La biblioteca del obispo J. B. Díaz de Luco", *Hispania Sacra*, v (1952), pp. 263-326; VII (1954), pp. 47-84; *id.*, "El obispo J. B. Díaz de Luco y su actuación en Trento", *ibid.*, pp. 259-325.

and the proceedings at the Rota should be improved and their cost reduced. In every line of this memorial we hear the learned canonist and the experienced bishop who is not concerned to whip up anti-curial feeling by recounting outrageous cases, but rather to submit precise proposals for a reform.

The ideal which the Bishop of Calahorra had before his eyes also forms the background of the legates' summary, namely the bishop as the shepherd of the faithful entrusted to his care and the bearer of responsibility for the cure of souls within the boundaries of his diocese. The legates' demand that in future only he shall be made a bishop who is able "adequately, and on the spot, to feed the flock entrusted to him, both by word and example"; if he accepts a second diocese, that diocese must be regarded as "widowed" from the beginning. The bishop must have for his collaborators such priests as are suitable for the cure of souls, hence ordinations and the appointment to benefices with the cure of souls attached to them must be subject to his control, and this control may not be rendered illusory by papal dispensations for incompatible benefices and from the duty of residence, by the exemption of entire corporations or that of particular persons. The bishops must have the right to correct or punish whenever the interests of the pastoral ministry require his intervention. The right of appeal to Rome must not be extended to trifling matters or become the means of delaying judgment and enabling the guilty to escape punishment. The Pope must protect the authority of the bishops and not suffer it to be injured by citations before the auditor of the Camera for trivial matters. Their poverty, which is often crushing, must not be aggravated by further financial imposts lest they become objects of contempt and the butt of ridicule.

As a matter of fact the dangers of poverty for the bishops, and even more so for the pastoral clergy, were not less than the dangers of wealth for the cardinals and the owners of richly endowed bishoprics and abbeys, nor were they to be done away with by a simple stroke of the pen, as was apparently the Curia's line of action in connection with benefices and dispensations. In reality strong financial interests were involved and above all there was the determination not to give up any primatial rights. We are not acquainted with the answers of the Roman commission, but there is good reason to suspect that the concessions made to the bishops were slender enough and fell far short of what they asked for. If the legates postponed the opening of the debate on residence all through the summer and autumn of 1546, their

policy was inspired by the fact that they clearly understood that it would be extremely difficult to arrive at a compromise. They would have been relieved of anxiety on that score if the plan for a translation, and still more if the later plan for a suspension, had succeeded. When these schemes faded away they saw themselves compelled to take the risk.

The opposition's demand that the problem of residence should be tackled at an early date, in fact in the course of the debate on justification, had never completely abated. He had no wish to shame anyone, the Bishop of Capaccio observed on 10 November, but from a motive of piety he would remind the Council that the reform must not be forgotten. On 17 November the Bishop of Sinigaglia declared that "a real reform will only come about when the bishops reform themselves from head to foot". What the friends of reform sought to attain by means of a debate on residence was an episcopate filled with a new spirit. They were disappointed when on 29 December, hence only a fortnight before the Session, Del Monte placed the question of residence on the programme but, as in June, only with a view to the "small solution", which was limited to the following two questions: what should be the penalties for the neglect of the duty of residence, and secondly, who was to put them into effect?<sup>1</sup> The president sought to soften the painful impression which such a restriction of the proposed discussion was bound to create by describing it as merely provisional; it did not follow that the impediments would not be discussed at a future date. Cervini went a step further and agreed to a general discussion of the problem of the impediments. These, he said, could be arranged in three groups, namely those that lay with the bishops themselves, those due to the secular power, and finally those that originated from the Curia. Those of the first group were a matter of conscience; to remove those of the second group was beyond the Council's competence which had to be satisfied with the threat of penalties, while the removal

<sup>1</sup> Resumption of the debate on residence at the end of December: The Bishop of Capaccio's reminder on 10 November not to forget the reform, *C.T.*, VOL. V, p. 645, l. 23 ("pio animo id dicit, non ut pudenda alicuius discooperiat"); on 18 November the protocol says this of the Bishop of Sinigaglia: "Cupit episcopos reformari a capite ad pedes, et haec erit vera reformatio", *ibid.*, p. 650, l. 15. The restriction of the debate to the two points (measure of the penalty and its execution), VOL. I, p. 111; VOL. V, pp. 743 f. The legates' correspondence with Rome on the Bull of Privileges for residing bishops and the brief granting faculties, VOL. X, pp. 769 ff.; 774, l. 28; 775, l. 18; 778, l. 23; 782, l. 16. Of the documents which were despatched from Rome on 7 and 8 January only the great Bull of Privileges of 31 December 1546, *C.T.*, VOL. IV, pp. 504-12, and the brief conveying faculties, of 6 January 1547, have been preserved, VOL. V, pp. liv f.

of those of the third group lay with the Pope. The latter was prepared to act and the legates on their part would do all that lay in their power. In point of fact, the November agreement with Mendoza held out the prospect of a papal Bull on the subject which would take into account the privileges granted by the Bull of Privileges of 1541. On 28 December Farnese informed them that the Bull was almost ready but that for the moment there was no intention of promulgating it, except in the event of the Council being suspended. Later on, however, the Pope and the commission of cardinals changed their mind and decided to leave the legates free to make use of it as they judged best, hence even if the Council continued its work. Whether this would be advisable was not clear at the moment. With a view to securing a free hand for themselves the legates prayed for a brief authorising them to leave the whole subject to the decision of the Council and finally a second Bull granting to the bishops the right to dispose of reserved benefices in the even months. The legates were anxious to be prepared for whatever might happen: they sought to guard themselves in Rome as they entered upon the debate of the impediments to residence occasioned by the Curia, and they were no less desirous of making a good start at Trent by exhibiting a tangible proof of good-will in the shape of an authoritative Bull granting the bishops a number of privileges.

The Pope acceded to their requests and on 7-8 January sent them by courier no less than three Bulls and two briefs: a Bull in the event of a suspension (this was in point of fact already out of date); a great Reform Bull in favour of the bishops, and a small Bull *dell'alternativa* which the legates had suggested. One of the two briefs authorised the legates to act in accordance with the plan they had submitted, the other was a covering brief relating to the publication of the great Reform Bull. The latter document, dated 31 December 1546 and beginning with the words *Nostrum non solum*, was by far the most important of these items. It met the bishops' wishes to some extent in almost every sphere. Exemptions, in so far as they hindered the pastoral ministry, were restricted and certain dispensations, for instance dispensations for holding two bishoprics and more than three incompatible benefices, as well as certain resignations, were forbidden. The *alternativa* in the conveyance of reserved benefices was also found in the Bull which, as a matter of fact, contained a whole series of important concessions to the bishops. However, on account of many restricting clauses it fell far short of their far-reaching demands.



When the Bull arrived at Trent the discussion of the problem of residence was in full swing.<sup>1</sup> The general congregations of 30 December, and 3 and 4 January left no doubt about the fact that the Council would never be content with the "small solution", about which opinions differed widely. There was no open quarrel between the legates' party and the opposition about the necessity to alter the existing situation, and even if in his heart of hearts any one of the prelates wished things to remain as they were, he would not have dared to express his wish aloud. The dispute started with the question of the vigour with which the Council should proceed, that is, the severity of the penalties and their exaction. The contest grew in violence as soon as the deeper causes of the abuses were touched, that is, the principle of the obligation of residence, the complex problem of the impediments, the accumulation of benefices, especially as practised by the cardinals. It will suffice if we analyse Pacheco's vote.

The duty of residence, the cardinal declared, rests on a divine precept, hence it is an absolute duty of conscience from which there can be no dispensation. He emphatically denied any desire to tie the Pope's hands by means of a conciliar definition of the *ius divinum* of this duty, but there could not be much doubt that his arguments tended in that direction. Though he did not mention them expressly, he managed to make it perfectly clear that the cardinals would also come under the prohibition of the accumulation of bishoprics and that the direct prolongation of the episcopal duty of residence was that of the parish priests, a duty frequently neglected on the plea of the privilege of exemption, or on the ground of a dispensation. As for the penalties for non-compliance, he proposed the following measures: in the first year the penalty would be the forfeiture of the revenues in proportion to the length of the incumbent's absence; in the second year a complete freezing of the revenues; in the third year removal from office. Annual provincial synods were to see to the exaction of these penalties.

<sup>1</sup> For the general debate on the duty of residence, in the general congregations of 30 December, 3 and 4 January, Severoli, *C.T.*, VOL. I, pp. 112-15, is as important as the acts, VOL. V, pp. 745-9, 753-8, and both are clarified by the detailed reports of the legates, VOL. X, pp. 774, l. 8; 780, l. 1. For the passage of the *Consilium de emendanda ecclesia* on the incompatibility of the cardinalate with the holding of a bishopric see VOL. XII, p. 138, l. 8. For the benefice-hunter Serapica cf. Pastor, VOL. IV<sup>1</sup>, pp. 364 f. (Eng. edn., VOL. VIII, p. 92, n. 5). From the appalling list of the benefices of Johann Ingenwinckel, in A. Schulte, *Die Fugger in Rome*, VOL. I (Leipzig 1904), pp. 290 f., we learn that in addition to canonicates, the benefice-hunters frequently sought and obtained parish churches, or pensions drawn from the income of these churches. The Bishop of Fano's letter to Farnese, 14 January 1547, on the usefulness of provincial synods, *C.T.*, VOL. X, p. 789 f.

Pacheco was supported by the Bishops of Astorga, Calahorra, Badajoz and Huesca and by their Spanish countrymen of the kingdom of Naples and the islands. These prelates were firmly convinced of the need of strong measures so as to prevent a repetition of an outrageous accumulation of benefices, such as had been practised in the era of the Medici by Serapica, the chamberlain of Leo X and by his accomplice Gibrালেone. Balthasar Lympus, Bishop of Porto, touched the crucial point of the problem when he asked: "Will the Council act in real earnest (*re ipsa . . . serio*), or is it merely saving appearances (*verbalem legem facere*)?"

The question was not without justification. An official of the Curia recently arrived at Trent, Cicada, auditor of the Camera, openly confessed that there was but little keenness for residence among the Italian bishops. The language of more than one of his colleagues actually gave the impression that their real wish was that things should remain as they were. Pighino merely referred to existing canons; Saraceni went so far as to advocate a mitigation of the penalties prescribed by the common law, while Archinto, the Vicar General of Rome, was indignant at the question of the impediments to residence having been raised; in his opinion it was a masked attack on the primatial prerogatives of the Pope. Many listeners shook their heads when he read the draft of a decree. Even the Bishop of Fano, though an adherent of the doctrine of the *ius divinum* of the duty of residence, advocated a mitigation of the penalties. He also opposed the notion of bringing in the provincial synods on the ground that in the last few centuries they had frequently been the tools of the State's power-politics against the Popes. However, as he explained in a letter to Cardinal Farnese, by provincial synods he did not mean the synods of the bishops of an ecclesiastical province presided over by the metropolitan, but regional or national synods. These were the only ones he rejected, not the provincial synods as understood by Canon Law, which he described as metropolitan synods.

In view of these sharply defined divergences the legates realised from the first that they must at all costs avoid creating an impression that they were out to defend existing abuses in the interests of the Curia. For them there was only one intangible point—the authority of the Papacy, which must not be subjected to the slightest infringement. However, even Del Monte understood the necessity of going a good way to meet the demands for reform of the prelates from north of the Alps. These principles and considerations formed the basis of his discourse of 4 January in which he defended his proposals. The

definition of the *ius divinum*, he maintained, was no solution, for the Pope's dispensing power could not be curtailed. There was no question of the validity of the dispensations granted by him for good reasons. The reform memorial of 1537 had already insisted on a declaration to the effect that the cardinalate was incompatible with the holding of a bishopric, but the demand had been opposed by a majority of the cardinals and had not been acted upon. Both he and his colleagues were of opinion that the obligation of residence should be formulated in such general terms as to include the cardinals, though they were anxious not to mention them expressly, so as to avoid denigrating them. Del Monte's attitude to the demands of the reform party was therefore identical with the one adopted in his time by Cardinal Guidiccioni towards the *Consilium de emendanda Ecclesia* (cf. VOL. I, pp. 427 f.). He would not hear of radical measures, but we must not on that account suspect him and the curial party of being opposed to every reform. Archinto and Bertano had furnished tangible proofs of their desire for a reform, yet their explanations created an even stronger impression that they defended existing conditions, hence present abuses, than Guidiccioni's attitude in his time, for ten years had elapsed since then without Rome having taken a single drastic measure. In the long run Del Monte could not maintain his point of view—he was bound to meet the Spaniards and to seek a compromise.

The draft of the decree which he laid before the general congregation on 7 January actually was such a compromise.<sup>1</sup> Del Monte adopted

<sup>1</sup> The draft of the decree on the duty of residence submitted on 7 January 1547, whose chief author is surely Del Monte, has not been preserved textually; all we have is Severoli's summary, *C.T.*, VOL. I, p. 116. As regards historical value Severoli's report on the debate in the general congregations of 8, 10 and 12 January, *ibid.*, pp. 116-21, equals that of the acts, VOL. V, pp. 762, 776, 778 ff. The legates' report of 11 January only speaks of the meeting of the bishops-canonists on the same day and the sustained complaint of the Spaniards of the failure to mention the cardinals in the decree, VOL. X, p. 785, l. 2. In Cervini's report of the same date we can sense his anxiety that the decree on residence would not have the same smooth passage as that on justification, *ibid.*, p. 786, l. 15. The draft of 12 January was identical with the definitive decree, VOL. V, pp. 802 ff., but, as appears from the remark of the Bishop of Porto, *ibid.*, p. 806, l. 22, not all the prelates had made copies in good time; it was still the rule at the time that Massarelli himself, with the assistance of his secretary, made and distributed the required number of copies. The appeal to the Fathers by the Bishop of Castellamare mentioned by Pratanus, *C.T.*, VOL. II, pp. 390 f., not to hand in written explanations at the Session, referred to the decree on justification, not to that on residence. It was probably made after the conclusion of the general congregation ("ante discessum"). Del Monte's invitation in the opposite sense, viz. that on the decree of residence they should formulate their objections in writing, is justified by Massarelli by the same argument, and probably with better reason: "ut . . . obvietur scandalis laicorum qui sessioni praesentes erunt", *C.T.*, VOL. I, p. 601, l. 19.

the standpoint of the men of the Curia by renewing in can. 1, in a general way, the ordinances of the *ius commune* concerning residence. The penalties for the neglect of this duty foreseen by him were mild ones: an absentee from his diocese for a period of six months, without adequate reason, is *ipso facto* forbidden to dispose of his revenues, but if the absence extends over a whole year he is also suspended from the exercise of his spiritual functions. In that event the cathedral chapter is under obligation of reporting the matter to the Pope who may inflict further penalties according to circumstances, and if necessary pronounce a sentence of deposition. The remaining three canons were as many concessions to the reform party. The Spaniards' main concern was to secure the right to punish exempt chapters and such religious as lived outside their monasteries. This right was adjudicated to them, though with one important exception, namely if a chapter was able to furnish proof of exemption from its foundation, or from time immemorial. The bishops were likewise empowered to compel those holding benefices with the cure of souls attached to them, to fulfil the duty of residence even if they were able to produce a papal dispensation for an unspecified period, but not if the period was determined. Bishops of other dioceses were forbidden to carry out pontifical functions without leave of the local bishop.

There can be no question but that these three canons went beyond the original programme of the "small solution". By means of these concessions Del Monte hoped to render the first canon acceptable to the reform party. In this he was mistaken.

Even Cervini parted company with his colleague, though only slightly, with regard to this draft when he mentioned certain additions which he judged to be desirable. He complained that the draft contained no directions for the choice of worthy bishops by the Pope and the princes enjoying the right of nomination, nor was there any mention of an administrator of the bishop's mensal revenues after the lapse of the six months' period. The whole procedure was unusual since the draft of the decree was not ascribed to Del Monte but to the legates.

Pacheco's criticism of the draft was merciless and indeed utterly destructive. He tore it to shreds so that there was literally nothing left of it. The penalties were too mild, he said, the cathedral chapter as an executive organ unsuitable. Not one of the real causes of the abuses was done away with, least of all the accumulation of bishoprics by the cardinals. The canon concerning the dispensations granted to parish priests was mere bluff because the Curia never gave a dispensation from

the duty of residence except for a determined period and these were expressly recognised by the canon. The consequence would be that in future absentee parish priests would be able to justify their conduct by an appeal to the authority of the Council! The canon against the exemptions of chapters did not really abolish them, on the contrary, it confirmed them, for every chapter would claim that it had enjoyed exemption either from its foundation or from time immemorial. Pacheco's final verdict on the draft was: "Better no reform than one of this kind!"

Del Monte saw that something must be done if his draft was to escape the fate of the July draft on justification. He rose immediately in its defence. He declared his willingness to listen on the subject of the nature of the penalties and the means of their exaction, but the rest of Pacheco's complaints he declared to be wholly unjustified. In accordance with the well-tested rule that attack is the best defence he pointed to the example of Cardinal Madruzzo as a proof that the union of two dioceses in one hand may quite well be in the interest of the Church. Madruzzo had been permitted to take over the diocese of Brixen in addition to that of Trent so as to make it possible for him to counter effectively the inroads of Lutheranism into the Tyrol. Nor would it be right simply to abrogate the properly acquired rights of chapters and to cut off every possibility of a temporary relief from the duty of residence for the pastoral clergy for the purpose, for instance, of study. His concluding remark was no less pointed than Pacheco's: "The draft", he said, "is an excellent solution in every respect!"

If Pacheco's reply was to be equally sharp, a violent collision between the two cardinals could be expected. However, Pacheco refrained from such a reply, but the sentence with which he ended the duel was so well aimed that even Del Monte, quick at repartee though he was, would not have been able to utter a word, even if he had wished it. "My opinion", Pacheco said, "has always been that the Pope can do more for the reform in one day than the Council can achieve in a whole year." This meant neither more nor less than that the reform of the Church depended ultimately and all the time on the Pope's will to reform: history is there to confirm the truth of this view. The great crisis in the course of the Council in the year 1563 was overcome the moment Pius IV was able to persuade Philip II and Ferdinand I of the earnestness of his will to reform. An internally restored Papacy would not render a reform by the Council superfluous, but it would constitute the surest guarantee of its success. Paul III was not the

man to utter that decisive word. His legates at the Council and their adherents continued their tactics—ultimately defensive tactics—while the opposition were unable to shake off a suspicion that there was no intention of taking drastic measures—a state of mind which was actually driving the Council towards a crisis of confidence.

Del Monte's speech for the defence did not prevent a number of prelates from beyond the Alps, such as the Bishops of Porto and Clermont, as well as a section of the Italians, from siding with Pacheco and the Spaniards. "The decree", the Bishop of Clermont observed, "has a great deal to say about the duty of residence, but fails to remove existing scandals and in the end changes nothing." The Bishop of Sinigaglia declined altogether to express a reasoned opinion on the draft which he regarded not as a decree of reformation but of deformation!

The first line of defence of the draft consisted of bishops who also held high office at the Curia—Tommaso Campeggio, Archinto, Cicada, Pighino, and in addition to them, Bishop Bertano. They nevertheless failed to loosen the close formation of the opposition that confronted them. The latter regarded it as a provocation when, to give one example, Cicada appealed to the fifth Lateran Council to prove the harmlessness of the combination of bishoprics and pastoral benefices with the cardinalate. The Bishop of Calahorra was ready with an answer: "If that Council has really granted a dispensation of such dimensions, then that dispensation must be revoked because of the harm it does to the Church." The two parties faced each other with the utmost determination.

When on 10 January the president terminated the debate, he had come to the conclusion that both the penalties foreseen in the draft and the appointment of the chapters as the means of their exaction were unacceptable to the prelates from beyond the Alps as well as to a section of the Italians, so that alterations could not be avoided. Already in the first debate, Bertano had deprecated the idea of bringing in the provincial synods and Campeggio had repeated the warning, but the majority were inclined to leave the exaction of the penalties to them, hence also the task of seeing to the observance of residence. As a matter of fact, ever since the days of the younger Durandus one of the avowed aims of the reform movement had been the revival of provincial synods. On this point, and in accordance with a previous declaration, Del Monte made no difficulties, but to the demand that the cardinals should be formally included in the decree he offered the most determined opposition. The formulation of the decree, he argued, had been most

carefully devised and was couched in such general terms that the cardinals were undoubtedly included. The opposition's further demand for a definite prohibition of the accumulation of bishoprics and pastoral benefices would receive particular attention at a future date.

So far, therefore, there was no sign of the opposing parties being brought closer together. Yet time was pressing: the Session was due within three days. With a view to assuring the plenary assembly's approval of the new formulation of the decree, Del Monte summoned fifteen canonists from the body of the Council to his residence on the morning of 11 January. The party included Pacheco, the Archbishop of Aix, the Bishops of Astorga, Calahorra and Badajoz, as well as the above-mentioned four officials of the Curia. In collaboration with them Del Monte drew up the new text of the decree (Form II) which went a step further to meet the wishes of the opposition. The introduction included the additional clause suggested by Cervini, to the effect that in future only most worthy persons (*maxime digni*) should be raised to the episcopate. Can. 1 stipulated that a bishop, irrespective of any other dignities or offices, who absented himself from his diocese for a period of six successive months, without a legitimate or otherwise important reason, would *ipso iure* forfeit a fourth part of his revenues in favour of the *fabrica* of the cathedral, or the poor; if the absence lasted another six months he was to forfeit yet another quarter of his revenues. If he remained obstinate in his disobedience the metropolitan would be bound, under pain of interdict, to report the matter to the Pope within a period of three months. A comparison of the chapter with the first draft shows two significant alterations. While the latter only withholds the disposal of the revenues, the former inflicts the forfeiture of a quarter of the income—an appreciable fine—and instead of the cathedral chapter, the metropolitan is made responsible for bringing persistent absenteeism to the notice of the supreme authority.

The second canon cancels all indeterminate dispensations from residence granted to owners of pastoral benefices, while it obliges those holding dispensations granted for a definite period and on legitimate grounds, to account for them to the bishop. The latter has the right to see to the appointment of suitable and adequately remunerated substitutes, and this in virtue of apostolic authority in the case of the exempt. Thus the bishop was no longer forced to remain a helpless spectator when, on the plea of alleged or genuine dispensations, or their exemption, his parish priests neglected their pastoral duties. Even

more important for the Spaniards than this concession, was the paragraph in can. 4, by which bishops were empowered to visit or correct cathedral chapters in virtue of apostolic authority, though only in their own persons (*per se ipsos solos*), notwithstanding the latter's exemption or any custom, legal decisions or conventions to the contrary. Thus the exception to which Pacheco had objected, namely exemption from the date of foundation or time immemorial, had been dropped. The remaining two canons (3 and 5) were substantially taken over from the first draft.

The question was whether this compromise, negotiated on the morning of 11 January between Del Monte and the experts of both parties, would meet with the approval of the plenary assembly. In the general congregation of 12 January, the last before the Session, Pacheco declared himself satisfied with what had been attained and gave his approval to the draft, but most of the bishops from beyond the Alps found as much to criticise in it as the curialists. The former found fault with the mildness of the penal stipulations and complained of the omission of a declaration of the *ius divinum*, the inclusion of the cardinals and an unequivocal condemnation of the accumulation of benefices, while the latter judged the penalties to be "very severe" (*satis durae*, so the Bishop of Matera) and even "too severe" (*nimis graves*, so the Bishop of Cadiz). Only a bare half of those entitled to a vote gave their *placet* to the new draft.

In the face of a result of this kind it was an extraordinary risk to have the draft, in its existing form, voted upon at the Session on the following day. Del Monte nevertheless decided to take the risk, obviously in the hope of obtaining at the last moment the assent of the undecided and thereby turning a minority into a majority. The Bishop of Syracuse spoke a word of caution: "Would it not be advisable," he said, "in the circumstances, to be satisfied with the promulgation of the decree on justification and to postpone that of the decree on residence?" Del Monte ignored the warning: "if we were to discuss the decree for a whole year", he said, "no agreement would be reached", and he added that every one of those entitled to a vote was free to have his objections to any part of the decree—set down in writing and signed by him—laid up with the acts of the Council; in fact, with a view to avoiding the possibility of mischief, it was desirable that this should be done. This invitation, with which the president hoped to facilitate acceptance of the decree, proved fatal to it, for when at the Session on the following day the vote on residence came to be taken, fifteen papers



(*schedae*), some of them lengthy ones, and as many conditional votes were handed in, so that the president felt compelled to make the following declaration: "In view of the fact that the votes are divided (*varia*), particularly with regard to the penalties to be inflicted for absenteeism, no decision on the decree can be given at this moment." The decree, therefore, was not accepted, and consequently not promulgated. This was the first time such an occurrence had taken place since the beginning of the Council—a fortunate one when viewed in the perspective of history, inasmuch as it was a demonstration of the freedom of the vote in the Sessions, but from the point of view of policy it was a very painful failure for the legates. How is it to be explained?

The most likely explanation is this: in spite of the fact that the powers over exempt chapters granted in can. 4 were exceedingly welcome to them, the Spaniards had not given an unconditional vote of approval because some of their other demands had not been fulfilled, while they hoped that the Italian majority would give the decree their *placet* and so assure its acceptance. But no incontestable majority materialised because one section of the curial party—twelve Fathers of the Council—were opposed to any alteration of the actual law. An examination of the protocol of the Session shows that out of sixty bishops who voted, only twenty-eight gave a *placet* free of any qualification or addition. It was a matter of opinion whether the votes of the abbots and the generals of Orders, which had always been counted in the total number, were to be included, and to what extent the votes accompanied by additions and qualifications were to be considered to have been cast in favour of acceptance.<sup>1</sup> The president accordingly put off the announcement of

<sup>1</sup> The acts of the vote on the decree on residence in the Session of 13 January 1547 and the 15 *schedae* in *C.T.*, VOL. v, pp. 802-9; according to Severoli, *C.T.*, VOL. I, p. 122, l. 30, the president said after the votes had been collected: "All the Fathers approve the decree except for certain turns in the wording, which amounts to a declaration of acceptance." However the protocol, VOL. v, p. 809, l. 14 and Massarelli's *Diarium III*, *C.T.*, VOL. I, p. 602, l. 16, clearly state the fact of the postponement of the decision: "nihil super his modo agi potest." The result was only announced by the president in the general congregation of 15 January, VOL. v, p. 833, l. 18; VOL. I, p. 123, l. 9. It seems to me that in his report of 14 January to Farnese, VOL. x, pp. 790 ff., Cicada gave a better explanation of the result than the legates, VOL. x, p. 793, l. 25. Cicada's explanation is supported by a proposal made on 15 January by the Bishops of Astorga and Calahorra, that the decree should be considered to have been accepted.—Of the 15 *schedae* handed in at the Session only one came from a member of the curial party (the Bishop of Matera); all the others are from the group of the opposition (viz. the Bishops of Sassari, Sinigaglia, Clermont, Fiesole, Capaccio, Porto, Bosa, S. Agatha, Lanciano, Badajoz, Astorga, Aquino, Huesca, Calahorra). Four of these are dissatisfied with the penalties (after six months' absence) which they regard as inadequate, because it could be interpreted as meaning that an absence of six months could be permitted. The total number of votes against the penal clauses (including the oral ones) amounted to 12.

the result of the vote during the Session on the ground that the prelates' papers would have to be carefully and calmly examined. Never before had anything like this happened at a Session of the Tridentine assembly: in the case of all previous decrees not the smallest doubt about their having been accepted had ever arisen.

On examining the protocol, Del Monte came to the conclusion that the decree could not be regarded as having been accepted. Cervini's personal opinion was that it had been accepted but he left his colleague completely free in the matter. The obvious way out—the formation of a commission for a study of the result of the vote—the legates refused to take, so for the time being the decree on residence was not recognised as valid in law. The contrast between the Council's unanimity on the dogma of justification and the lack of it on the question of residence was as evident as could be. Responsibility for such a result rests with Del Monte.

When two days later the president appeared at the general congregation, he frankly confessed that he did not know what should be their next step.<sup>1</sup> While the decree could not be regarded as having been accepted in its present form, the written and oral declarations of the Fathers did not make it clear in what places and in which sense the majority desired it to be altered. Not one of the suggested changes

Nine *schedae* complained of the absence of an express mention of the cardinals (that with the oral votes there were only six, as Del Monte claimed on 15 January, *C.T.*, VOL. I, p. 123, l. 10, is therefore inaccurate in any case); 6 criticised the omission of a prohibition of the accumulation of benefices and 3 wanted the *ius divinum* to be defined. It is also worth noting that the Bishop of Bosa—inspired by episcopalistic considerations—took offence at the circumstance that the ordinaries' rights over the exempt were granted to them in their capacity as apostolic delegates.

<sup>1</sup> The protocol of the general congregation of 15 January, 1547, *C.T.*, VOL. V, pp. 833 ff., agrees almost word for word with Severoli's *Diarium I*, *C.T.*, VOL. I, pp. 123 f. It is not possible to ascertain for what reason Massarelli was content, in this instance, with merely reproducing his rival's copy. That he was present appears from *Diarium III*, *C.T.*, VOL. I, pp. 603 f. The fact that Del Monte returned to the question of the title may have been due to the very detailed *scheda* of the Bishop of Badajoz who, among other arguments, had appealed to the Council of Constance, *C.T.*, VOL. V, p. 801. We get Cajetan's opinion in a tract composed in the year 1511: *De comparatione auctoritatis papae et concilii*, ed. by J. Pollet, (Rome 1936), p. 58: "Concilium habet quod repraesentet universalem ecclesiam a papa." According to Cervini's letter of 17 January to Farnese, "non si ragionò d'altro che del decreto della residentia", *C.T.*, VOL. X, p. 792, l. 9. In their joint report of 19 January, *ibid.*, p. 794, l. 42, the legates point out that the Bishop of Badajoz had declared that he would be satisfied if an anti-Lutheran canon with the content indicated in the text were laid down.—The Bishop of Astorga still mentions Archinto's remark about "foxes" in a letter of 13 February to the Emperor, *C.T.*, VOL. XI, p. 102, l. 12, but adds that in the Spanish camp opinions were divided as to whether it was right to indulge in a verbal exchange with Archinto.

commanded an unquestionable majority. Del Monte complained of the stubbornness with which everyone stuck to his own opinion. If things were to go on like this he would seriously consider whether he would attend another general congregation. It was evident that he was greatly vexed by his defeat. In point of fact, he should not have heaped reproaches only on others but should have blamed himself more than anyone else. His policy of putting off the debate on residence until a couple of days before the Session, thereby cutting short the Council's time, and his unwillingness to make of his own accord concessions that were inescapable, until they were wrung from him, were mainly to blame for the muddled situation. His threat bordered on the ridiculous, for how could he, the senior legate, allow the Council to shift for itself? The consequences of such conduct for the Papacy would have been unpredictable.

Pacheco saved the situation by proposing that the whole complex problem should first be discussed at a conference of the canonists. When this had been done, appropriate proposals might be laid before the plenary assembly. The Bishops of Astorga and Calahorra, both of them canonists, maintained that it was perfectly possible to regard the decree—together with the divergent votes—as accepted and therefore to promulgate it. In the acts of the fifth Lateran Council, they argued, decrees are found with qualifying additions to the votes of some of the Fathers (*annotationes*). However, this wholly reasonable proposal was wrecked by Del Monte's persuasion that the decree on residence could not be considered as having been accepted since not merely a few bishops but the majority had given qualified votes—hence not an unconditional *placet*. He evidently felt that the *placets* of the abbots and generals of Orders could not legitimately be counted with the other votes since the decree concerned bishops, hence persons of a higher rank than theirs. Without a fresh consultation of the Council the decree could not be regarded as accepted. In these circumstances Pacheco's proposal to discuss the position in the committee of canonists seemed in fact the best way out of the predicament.

At this same general congregation of 15 January the title of the conciliar decrees came up once more for discussion, not without good reason. At the beginning of the conciliar negotiations the legates had hinted that at a later stage of the proceedings of the assembly they would not object to the formula *universalem ecclesiam repraesentans*, when there was question of decrees of particular importance. It could scarcely be denied that the decree on justification fulfilled that condition.

Five prelates, the Bishops of Lanciano, Badajoz, Calahorra, Astorga and Huesca had complained of the omission of the formula in *Sessio VI*, while another prelate, the Bishop of Sebenico, had formally protested against it in his *scheda*. Without recalling the earlier debate, Del Monte clearly defined the principle which inspired the legates' action, namely that the Council of Trent did represent the universal Church. On the other hand, he went on, it would not be expedient (*non expedit*) to state this fact expressly in the decree because at the Councils of Constance and Basle the doctrine of the representation of the whole Church had been played off against the authority of the Pope. By way of proof he read passages from Torquemada and Cajetan. The Bishop of Badajoz thereupon defended himself: "I have moved the introduction of the formula", he said, "solely in order to counter Luther's teaching that a legitimately convened Council does not represent the universal Church." Francisco de Navarra thus disclaimed any sympathy with conciliar theory; his only concern was to put the authority of a General Council beyond doubt, in the present instance the authority of the Council of Trent. The president hastened to grasp the hand thus held out to him and declared his readiness to lay before the Council a canon running thus: "If anyone says that a legitimately convened Council does not represent the universal Church, let him be anathema." Actually he could hardly have acted otherwise without infringing the authority of the very Council over which he was presiding. The unwillingness to embody the formula of Constance in the Tridentine decrees was prompted solely by the fear of conciliar theory which we have long ago come to know both as an obstacle to the timely convocation of the Council and as a continual hindrance of its direction by the legates.

Del Monte's statement of principle might perhaps have somewhat eased the tension had not Archinto shocked the assembly by the provocative declaration: "My opinion is that the Council does not represent the universal Church." The remark was received with loud cries: "This is heresy!" The excitement grew still further when Archinto added that he only meant to catch the little foxes (cf. Canticum II, 15), who under pretext of this formula had something very different in mind, namely the Pope's subjection to the Council. The Spaniards took this remark as aimed at themselves. So bitter was their resentment that the president felt compelled formally to disavow Archinto and to enjoin silence. He succeeded towards the end of the congregation in easing the tension to some extent when the Bishop of Fiesole

asked to be allowed to speak: "I shall state my opinion on this controverted question at the Session", he declared. Del Monte greeted the announcement with the light-hearted yet at bottom mischievous remark: "The Bishop of Fiesole is free to say whatever he pleases in the future also." Thereupon the gathering dispersed amid general hilarity.

In the short general congregation of 17 January, in which Cervini laid down the plan for the dogmatic discussion on the sacraments, Del Monte submitted the two summaries of the *Impedimenta residentiae* which had been compiled in the course of the summer of 1546. This meant that those responsible for the direction of the Council had at last made up their minds to drop the "small solution" of the problem of residence, which in reality had only been a pretence from the first, and to include in the debate the deeper causes of the pitiable state of the pastoral ministry which lay beneath the harmless phrase of "the neglect of the duty of residence". On 20 January the legates finally set up a committee of canonists and to the fifteen who had already met informally on 11 January, they adjoined one more member who, though an expert in the relevant subject-matter, was not entitled to a vote. This was the abbreviator Ugo Buoncompagni who as a one-time professor of both laws at Bologna would be able to give not only legal advice but, as one well acquainted with the practice of the Curia, would also be in a position to explain and defend it.<sup>1</sup> The Spaniards were represented by Pacheco and the Bishops of Badajoz, Astorga and Calahorra; they were therefore numerically weak, but in their case quality made up for quantity.

<sup>1</sup> The very short general congregation of 17 January, *C.T.*, VOL. I, pp. 124 f., 604; VOL. V, pp. 835-44 (here with the text of both summaries), was chiefly devoted to the laying down of a programme for the ensuing weeks. In their report of 19 January, VOL. X, p. 795, l. 13, the legates give the reason for having the *impedimenta* read out: "accioche fussino chiari che non li volevamo dar una residentia nuda"; this was a formal abandonment of the "small solution".—Ugo Buoncompagni—later Pope Gregory XIII—had lectured on both laws at Bologna from 1531 to 1539. When he was made conciliar *abbreviator*, Farnese said that though he was no veteran in this kind of work he would render good service at the Council as an able canonist, *C.T.*, VOL. X, p. 291, l. 2. Shortly before, on 9 May 1545, he had suffered the loss of his patron, Cardinal Parisio. He made his first appearance at the Council on 2 February 1546, VOL. I, p. 475, l. 13. As a member of Pole's class he is mentioned in VOL. V, p. 38, and like the auditor of the Rota Pighino and the consistorial advocate Achille de' Grassi, is treated as a prelate though he had no right to a vote. In the spring of 1546 the legates considered him for a mission to Constance for the purpose of restoring peace between the bishop, the chapter and the city, VOL. X, p. 378, l. 33; he declined, *ibid.*, p. 421, n. 2, but at a later date he accompanied Cardinal Farnese who had been his pupil at Bologna, on his legation to Germany, *ibid.*, pp. 557, n. 3; 563, l. 23. He probably returned with him to Trent only in November. These notes supplement Pastor, VOL. IX, p. 10 ff. (Eng. edn., VOL. XIX, p. 15 ff.).

The official appointment of the committee of canonists, which must be regarded as the counterpart of the committee of theologians which dated back to an earlier period, enriched the working organisation of the Council with a new department, which from now until the end of the first period played the role of a connecting link between the legatine body and the general congregation. These two committees of theologians and canonists were an improved version of the division into classes which had been allowed to lapse in the month of May. Like the classes, the committee meetings were presided over by one of the legates, but with this difference that they did not discuss the same subjects as the one-time classes; on the contrary, they were committees of experts chosen for the purpose of studying the two subjects of the conciliar discussions—dogma and reform. By the creation of these two bodies of professionals, the legates secured the services of the best experts while at the same time they eased the task of the general congregations. It is a significant fact that on one occasion (2 March 1547) a session of the committee of theologians turned into a general congregation which adopted the results of the committee's deliberations almost without any further discussion.

The half-dozen sessions of the committee of canonists which occupied the last ten days of January were a continuation of the hurried debate on the question of residence at the beginning of the month, which was to blame for the unsatisfactory result of the vote in *Sessio VI*. The formal question, whether the decree could be regarded as accepted, was not mentioned at first. Del Monte held to his opinion that it had been rejected. We have no protocols of the sessions of the committee, but only summary accounts which Massarelli embodied in his *Diarium III* and from this transferred into the acts.<sup>1</sup> In the first session, on 21 January, an agreement was come to with comparative ease that in

<sup>1</sup> The purpose of the six sessions of the committee of canonists, which with one exception were held in the morning, between 21 and 29 January, is thus stated in the legates' report of 22 January: "ripigliando da principio il capo della residentia, presupponendo che'l decreto non sia stato ottenuto in sessione", *C.T.*, VOL. X, p. 798, l. 7; cf. also p. 808, l. 28. Severoli did not take part in these sessions and only gives a summary, *C.T.*, VOL. I, pp. 125 f.; on the other hand it is by no means certain, in fact it is unlikely, that Massarelli's reports in *Diarium III*, *C.T.*, VOL. I, pp. 605-7, rest on notes taken during the discussions, for he too does not appear to have taken part in these committee meetings. The acts, *C.T.*, VOL. V, pp. 847 f., 852 ff., 857, 859, 861, only reproduce the contents of the *Diarium*. The legates' report of 27 January is quite short, VOL. X, p. 804, l. 3; at the end of the sessions, on 30 January, the legates declared themselves satisfied: "siamo un pezzo inanzi", *ibid.*, p. 805, l. 14. Del Monte's final report in the general congregation of 31 January is more fully reported in the acts, VOL. V, p. 868, than in Massarelli's *Diarium III*.

the preface to the new decree about to be drafted, the Pope should be requested to exercise the utmost caution, in future, in the appointment of bishops. There was no question of imposing an obligation on the Pope. A sharp conflict of opinions only occurred in the next two sessions, 24 and 25 January, when the chief cause of absenteeism, the accumulation of benefices, came up for discussion. The question was whether the prohibition of the accumulation of bishoprics and other incompatible benefices should only apply in future or whether it should be made retroactive so as to compel the present holders of such benefices to give up all but one. It is easy to see how the Spaniards would do their utmost to remove the present, crushing abuses by means of a decree with retroactive force, and how on the other hand, the curial canonists would urge grave objections, mostly of the juridical order, against an ordinance of this kind. Although the two stand-points proved irreconcilable, it was decided to draw up a canon and to submit it to the members. It is not certain whether the canon formulated on 26 January was identical with can. 3 of the draft drawn up on 3 February, for under date of 27 January Massarelli noted that on that day an agreement was arrived at to forbid the accumulation of benefices for the future only; as for the past, a ruling would be sought at a later date. The fact was that agreement on this cardinal point was still very remote. Moreover, a back-door remained open through which cunning benefice-hunters could slip in whenever they sought the uncontested enjoyment of two incompatible benefices, that was the union of benefices for life. In order to barricade this door it was decided on 28 January to pray the Pope not to sanction such unions in future and to test the legality of the existing ones. On the other hand it appears that it proved impossible to come to an agreement about the wording of the canons that had to be drafted. In the last session of the committee, on 29 January, a sub-committee was set up consisting of the Bishops of Matera, Astorga and Alife for the purpose of studying and reporting on the problem of exemptions. Among them too there was no controversy about the ruling concerning the future, but only about the retroactive force of the proposed decree, that is, the removal of present conditions. In view of the fact that existing exemptions rested on papal dispensations, a consultation of the Pope was contemplated as previously in connection with papal dispensations granted to the holders of several bishoprics.

From the report on the sessions of the committee which the president laid before the general congregation of 31 January we gather that even

its Spanish members, notwithstanding their vigorous insistence on the urgency of a drastic change in the present situation, were yet not prepared to invalidate by means of conciliar decisions, papal juridical acts such as the above-mentioned dispensations and exemptions, without previous consultation of the Pope. However, the fundamental problem of the whole of the conciliar reform, which touched on the basic relation between the two authorities, the Pope and the Council, had taken shape in the minds of the members of the committee, most of whom were adherents of the Curia: to what extent might the Council interfere with the papal prerogatives and with the administrative practice of the Curia. The Pope's instructions of 23 March 1546, which in principle left the reform of the Church to the Council (cf. above, CH. IV), did not imply that the Pope was subject to the reform measures passed by that assembly; nor did they contain a list of maximum concessions. Since all their requests for precise directions had been ignored, the legates themselves did not know how far it was lawful for them to meet the demands of the reform party. It was against the background of this all-important question that the debate on the eleven canons which had been formulated in the meantime, opened on 3 February.<sup>1</sup> However, before we follow up its course we must compare the new reform proposals with the decree on residence of *Sessio VI* with which we are acquainted.

<sup>1</sup> The debate on the 11 canons, *C.T.*, VOL. V, pp. 871 f.; VOL. I, pp. 125 f. (the count goes on to 13 because can. 8 and 9 on the unions are missing), took up the time of the general congregations of 3, 4, 5 and 7 February 1547. Severoli, *C.T.*, VOL. I, p. 128, wrongly places the latter on the 6th; the acts in VOL. V, pp. 874 ff., 878 f., 880 ff., 892 ff. The most important points of the criticism of the proposals are more clearly set out in the legates' report of 6 February, VOL. X, p. 809, than in the summary of the acts, VOL. V, pp. 893 ff.; but I am unable to discover in the acts the criticisms mentioned in points 7 and 8 of the legates' report. The essential point, the "jurisdicción que el concilio tiene sobre esta reformación" is also touched upon by Pacheco, VOL. XI, pp. 99 and 103 (point 7 on 17 February), while the Bishop of Astorga, *ibid.*, p. 102, l. 18 stresses the value of the concessions granted to the bishops. Del Monte's letter to Cervini on 7 February, VOL. X, pp. 810 f., shows that previous to his speech of 8 February the president knew quite well what was at stake, and that he had had a mind to leave it to his colleague of whose zeal for reform no one at the Council had any doubt. The discourse which Del Monte ended by pronouncing himself is much better recorded by Severoli, *C.T.*, VOL. I, pp. 128 f., than in the acts, VOL. V, pp. 895 f., but both reports have the important passage on the aim of the reform by the Council, Severoli: "ut cura animarum a nobis nullatenus negligatur", *C.T.*, VOL. I, p. 128, l. 36: Massarelli: "sufficeret animabus providere", VOL. V, p. 895, l. 20. The Bishop of Capaccio's explanation of the expression "sophistical" on 10 February, VOL. I, p. 612, l. 11; VOL. V, p. 908, l. 6.—The *licentia de promovendo a quocumque*, frequently connected with leave to receive Orders outside the regular times, is found in the taxation list of the Penitenzieria in the days of Clement VII, Göller, *Geschichte der päpstlichen Pönitentiarie*, VOL. II (Rome 1911), p. 155.



The new proposals left can. 1 and 2 of the decree on residence (now can. 2 and 5) substantially unaltered. The previous can. 3 and 4, which gave bishops the right of surveillance of the exempt, especially that of cathedral chapters, together with authority to punish them, were left out for the time being because the sub-committee had not as yet concluded its task. Can. 5 (now 11) was enlarged by an ordinance forbidding chapters *sede vacante* to allow bishops from outside the diocese the use of the *pontificalia*, or to issue letters dimissory to candidates for ordination. A new additional canon (can. 12) made the use of a licence to receive ordination from a bishop of the candidate's own choice, subject to verification by the ordinary. The purpose of these two canons was to put a stop to the not infrequent simoniacal ordinations conferred by titular bishops on the basis of the notorious licences *de promovendo a quocumque* which the Penitenzieria was in the habit of granting, and to subject the reception of priestly Orders to the control of the respective bishop. These canons were a first step towards the new Tridentine legislation for ordinations. But even more significant were the basic lines of the new legislation concerning offices now laid down for the first time.

This new legislation was based on the principle that office and benefice are inseparable. The man who is either unable or unwilling to fulfil the office may not receive the benefice. In addition therefore to the earlier prescriptions of Canon Law (at the third and fifth Lateran Councils), the conveyance of bishoprics and pastoral benefices was made subject to certain personal qualifications: in the first case (can. 1), in the form of an exhortation addressed to the Pope to appoint to bishoprics only men of mature years, approved conduct and sound intellectual formation; in the second case (can. 4), the very legality of the concession of a pastoral benefice was made to depend on the suitability of the recipient. In connection with this principle, can. 10 prescribed that bishops must receive consecration at the latest within a year after nomination and can. 13 laid down the same time-limit for the reception of the Orders required for the fulfilment of the respective offices.

A further consequence of the basic principles of the new legislation concerning offices was the break with the accumulation of benefices both on the diocesan and on the parochial level. Can. 3 stipulated that no one could hold or administer with full rights (*in titulum*) two dioceses "for he is fortunate who is able to administer a single diocese successfully and to the advantage of the souls committed to his care". At the very least the word *retinere* did not preclude the application of the canon

to such as held here and now several dioceses. In can. 6 the possession of several incompatible benefices is threatened, for the future, with the penalty of their forfeiture to be incurred *ipso facto*. Can. 7 obliges those holding papal privileges to submit them to the ordinaries while the latter are directed to proceed in accordance with the *c. Ordinarii* of the second Council of Lyons, and where necessary to arrange for the appointment and adequate remuneration of suitable substitutes for the absentee owners of the benefices. The prospective canons on the union of benefices by means of which the earlier canonical stipulations had been circumvented were held back together with the canons dealing with exemptions. In spite of these gaps the reform proposals of 3 February marked the beginning of a "great solution" of the problem of residence. They were no mere tactical compromises, as was the decree on residence of *Sessio VI*. Its future fate, however, was overshadowed by the question of the extent to which the Council could, and should, interfere with the practice hitherto followed by the Curia in the concession of offices and dispensations—this was the question of powers; and by the further question whether Pope and Council would be able to co-operate harmoniously in the proposed work of reform—this was the question of confidence.

Already in the first of the four general congregations (3, 4, 5 and 7 February), in which the proposals were discussed, the first doubts about the Council's competence and the opportuneness of a conciliar reform made themselves heard. "All our efforts are in vain", Benedetto de' Nobili observed, "if the Pope does not concur. The canons laid before us go beyond the Council's proper authority." The Bishop of Sassari expressed the opinion that the best thing the Council could do was to leave the whole problem of residence to the Pope. In this he was supported by the Bishops of Feltre, San Marco, Bitonto and some others. This group seemed prepared to abandon all thought of a conciliar reform which would in any way interfere with the competence of the papal officials, hence also, as a natural sequel, any kind of effective reform by the Council: this group was more papal than the Pope himself who, after mature reflection, had decided otherwise by the end of March 1546. This explains why the Spaniards were not the only people to condemn the pusillanimous hesitations of this group, but that even prelates of the Curia, men like the Bishops of Albenga and Alife—probably on the strength of information derived from the legates—drew attention to the fact that the Pope had actually handed over the task of the reform of the Church to the Council in the very Bull of Convocation.

On many Spaniards, for instance on the Bishops of Capaccio, Castellamare, Lanciano, Badajoz, the Bishop of the Canaries, the proposals of the group headed by the Bishop of Sassari had the effect of a provocation. They were indignant and offered the most determined opposition to this attempt to reduce the Council to impotence by its own act. None was more resolute than the Bishop of Bosa: "The Pope", he said, "is the head of the Church and of the Council. The Council jointly with the Pope represents the universal Church and so has power to lay down laws for reform which in point of fact the Pope also may issue without his being bound to do so. His office is to confirm the conciliar decrees" (*probare*).

The legates looked on in a state of no small anxiety as a well-meant proposal of their adherents was steering the debate towards a discussion of power—a subject that was taboo for them, for such a turn in the discussion was more dangerous for them than an objective criticism of the draft. However, once again the proposal was only decisively rejected by the Bishop of Sinigaglia: such a reform, he said, was worse than no reform; but even the alterations suggested by the Spaniards, who were once more joined by several Italians (the Bishops of Fiesole, Aquino, Bertinoro and Bitonto) tended towards a considerable stiffening of the reform. Pacheco's vote was, as usual, well thought out and temperate. It enables us to ascertain the direction of the critics' offensive. From the previous debates we are acquainted with his demand that the prohibition of the accumulation of bishoprics laid down in can. 3 should include every degree of the hierarchy, hence also the cardinals, while the prohibition of the accumulation of benefices in can. 6 should be made retroactive. His adherents went even a step further; thus, for instance, the Bishops of Porto and Lanciano insisted on retroactive force being given to can. 3 and the Bishop of Calahorra pressed for a declaration that the cardinalate and the episcopate were incompatible. New, and pointing to the future, was Pacheco's proposal to subject candidates for pastoral benefices to an examination such as was customary in Spain: "a strict examination", the Bishops of Badajoz and Astorga added emphatically. Luigi Lippomani, the coadjutor of Verona, wished future bishops to undergo a similar examination before three cardinals appointed by the Pope. On the other hand, the Archbishop of Aix thought it would suffice if the episcopal informative process were rendered more effective by being taken out of the hands of the Curia and transferred to the place of residence of the bishop-designate. A whole year as the extreme time-limit within which a

bishop-elect must receive consecration seemed much too long to Pacheco: it should be kept at three months, as already prescribed by the Council of Chalcedon and later by Canon Law.

The legates' adherents took up the defence of the reform proposals against their critics, but while doing so they repeatedly insisted that the right road to reform was not by way of radical innovations but by a return to the ancient laws—*iura antiqua*. The Bishop of Matera summed up their idea of Church reform when he said that "if the ancient canons are renewed it will be possible to speak of a reform, for reform surely means a return to former conditions". We are already acquainted with this attitude of mind through the *schedae* which some of the curialists handed in at *Sessio VI*. In point of fact the proposals before the Council bear witness to an effort towards a restoration of the ancient legislation. In four places (can. 1, 4, 6, 7) they appealed to the famous chapters *Quia nonnulli* and *De multa* of Alexander III and Innocent III as well as to *c. Ordinarii* of the second Council of Lyons. They also appealed to the fifth Lateran Council, but the two quotations from the latter were objected to by Pacheco and almost all the Spaniards and by several Italians, for instance the Bishops of Verona and Bitonto. Their motive remained unspoken, but it was undoubtedly fear lest the Tridentine reform should be compromised by inviting comparison with the most recent of the Lateran Councils, whose oecumenical character was questioned by Spain, while its ineffectiveness was questioned by no one. The Bishop of Bitonto asked for the name of Leo X to be struck out because it was hateful to the Lutherans. Instead of the quotations from the fifth Lateran Council, the Bishop of Sassari and several other prelates wanted the decree to embody the Clementine decretal *Execrabilis*, on the ground that this was sternly opposed to the accumulation of benefices and, unlike the last Lateran Council, which permitted the holding of four—or at least two benefices—precluded any such possibility.

When Del Monte began his customary concluding discourse at the general congregation of 8 February, he was well aware that it was not enough to refute the criticisms of the proposals with arguments from Canon Law. A stiffening of the opposition and a dispute over the question of powers could only be avoided if he succeeded in convincing the reform party of the genuine desire of the leaders of the Council to bring about a reform. He would have preferred to leave the task to his colleague Cervini, of whose earnest wish for a reform there was no reasonable doubt, but the latter excused himself, fully conscious as he

was of his lack of the gift of eloquence. The president had, therefore, perforce to enter the lists himself. The result was a psychological masterpiece. His discourse on 8 February undoubtedly ranks among his finest efforts: "Why all these jeremiads about the abuses in the Church with which we are all of us fully acquainted?" he asked; "why this wrangling about the question of powers? The aim of our reforming activity is the revival of the pastoral ministry—the cure of souls." This was the first time that this purpose was clearly stated in a plenary assembly of the Council. "This must be the aim of our reforming activity," he went on, "but measures that can never be carried out, such as the examination and sifting of all priests engaged in the cure of souls, would only expose the Council to ridicule. We must strive for objectives that are attainable. This we shall do by means of the proposed canons. They are by no means perfect but they are not mere sophistry, as someone has said. To speak thus is to ascribe to the legates an intention to deceive which is far from them. It has been said that a strict reform would be in the best interest of the Holy See. This is perfectly true; but there must be no attempt to curtail the papal authority, to subject the Pope to the canons of the Council." The president's concluding words were as conciliatory as they were grave: "We feel sure that we are in the company of men who are convinced of our sincerity. It may be that up to this time we have been too indulgent, but our forbearance is not weakness—let this be said in all kindness." Two days later Del Monte had the satisfaction of listening to a statement by the Bishop of Capaccio—for it was he who had let the word "sophistry" escape him—which amounted to an apology. It had not been his intention, the bishop declared, to say that the legates had submitted the canons with the intention to deceive, but that their content was not clear (*dubii, non autem deceptores*).

During the pause in the reform negotiations due to the intercalation of a general debate on the sacraments from 8 to 22 February, the position of the legates was happily reinforced by a measure whose execution by the Pope could only lead to a more trustful collaboration between Rome and the Council in the affair of the reform.<sup>1</sup> In every

<sup>1</sup> For the antecedents of the consistorial decree of 18 February 1547, *C.T.*, VOL. V, pp. 981 f., also VOL. I, p. 621, note must be taken of the information in the legates' correspondence, VOL. X, pp. 463, l. 2; 800, l. 29; 808, l. 9, but above all of the data given by Gianbattista Cervini on the session of the commission on 23 January, *ibid.*, p. 924, and the grouping of the parties in the Sacred College in the consistory of 31 January, *ibid.*, p. 926. Cervini's suggestion of the publication in Rome of a decree for the reform of the cardinals, *ibid.*, pp. 802, l. 17; 810, l. 20. On 26 February Bianchetti;

one of the debates the reform party had insisted on the inclusion of the cardinals in the canon on residence and in the prohibition of the accumulation of bishoprics. This insistence was fully justified, for what effect could be hoped for from a reform which spared the most unscrupulous beneficiaries of the system that had prevailed up to this time? Paul III was not insensible to the force of this argument. Already in the consistory of 16 April 1546 he had rejected the nomination by the King of France of Cardinals François Louis de Bourbon and Ippolito d'Este, both of them already administrators of several dioceses, to yet another diocese each. The reform Bull *Nostri non solum*, which had been forwarded to the legates at the beginning of January, contained a stipulation to the effect that no dispensation for holding several dioceses would be granted in future. In addition to this Del Monte was able to inform the committee of canonists that the Pope had exhorted the cardinals in consistory to resign their additional dioceses, that is, in other words, to comply of their own accord with the new

reports to Della Casa about the consistory of the 18th: "La disputa fù, se stando il concilio era bene fare et publicare questo decreto qui, o pure lasciare al concilio che lo determinasse. Et in somma (dopo molto voltare) conclusero non solamente di risolverlo, ma di publicarlo et anche mandarlo a Trento", Bibl. Ricci 5, fol. 225", or. The first information about the content of the decree was given by Del Monte at the general congregation of 25 February when he read out the corresponding passage of Farnese's letter of 19 February which had arrived on the same day, *C.T.*, VOL. v, p. 980, l. 45; VOL. x, p. 827, l. 35. The text of the decree only arrived with the mail despatched from Rome on 25 February and was made known at the general congregation of 2 March. Ardinghello's *Responsum* to the 11 points of the legates' report of 6 February, an extraordinarily important document which is also evident proof of the confidence Paul III placed in the cardinal, in *C.T.*, VOL. x, pp. 819 f.; it should be set beside the memorial of the commission of cardinals, *ibid.*, p. 820, n. 1, where the stricter view is stressed, inasmuch as it also advocates the prohibition of the accumulation of benefices in the past, "quia piis mentibus adhuc non satis plene factum esse videtur". These directives came too late for the formulation of the 20 canons, but the legates nevertheless wrote on 24 February: "Non credemo che in essi (canoni) si contenga cosa contraria al parer di S.S<sup>ta</sup>", VOL. x, p. 825, l. 4. How greatly the Pope trusted the legates and in this case particularly Cervini, appears from the brief of 25 February, VOL. v, p. 993, n. 3, granting them various powers of which more will be said further on.—Very different from the reaction of authoritative circles—the Pope and the cardinals—to the Tridentine discussions of reform was that of the curial officials of the lower order. On 22 January Bianchetti describes them as "la rovina di questa corte", but at the same time he thinks that the Pope could easily "con un *non obstantibus* acconciare ogni cosa", that is, deprive the conciliar decrees of any practical effect by the inclusion of that clause, Bibl. Ricci 5, fol. 133", or (the date of the year there given, 1546, is wrong and must be replaced by 1547). On 14 March, after he had become acquainted with the consistorial decree, the Nuncio Dandino expressed the opinion that in France "non sarà di poco negotio, se si potrà mettere in pratica . . ., perche ogniuno se scuserà sopra del Re, et il Re non si curerà d'haver buone spalle", Vat. Arch. AA, I-XVIII, 6532, fol. 159". However, even if the decree is not given effect the Pope and the College of Cardinals have at least given proof of good-will!

ruling. After this no further attacks on the cardinals were made in the committee, though they occurred in the general debate. The legates' report of 6 February accordingly took up Cervini's earlier suggestion that the best answer to all these attacks would be *una buona reformatio del Collegio*, not merely in the shape of an exhortation by word of mouth, or the laying down of a rule of conduct, but in the form of a law to be published, if at all possible, before the Session.

Thereupon, presumably after the first hearing on 14 February of the commission of cardinals for the Council, the Pope decided in the consistory of 18 February to promulgate a decree against the accumulation of bishoprics by the cardinals. This met the fondest wishes of the reformers at the Council. Not only did it reaffirm the previously proclaimed principle that in future the cardinals would not be allowed to hold more than one diocese—not even as administrators, or *in commendam*—but it also stipulated that cardinals actually in possession of, or administering more than one diocese—apart from the suburbicarian sees—must, within a period of six months, choose one of them and resign the others. For dioceses subject to the right of patronage or nomination, the time-limit for resignation was extended to one year. If this section of the decree was given effect, the accumulation of bishoprics by the cardinals would be a thing of the past. However, the decree included yet another stipulation. It inculcated the cardinals' duty to reside at the place where the Pope resided hence, as a necessary consequence, it excluded the duty of residence in the diocese which they retained. In the eyes of the reformers this was obviously not an ideal solution but, as Maffeo put it in his covering letter, it was "a big step forward".

The official attitude to the further demands for reform by the Fathers of the Council, in so far as they were put together in the legates' report of 6 February, was defined by Cardinal Ardinghello on the Pope's instructions and obviously after a serious exchange of views with him. The references to the fifth Lateran Council, he said, might be dispensed with without more ado; the declaration that the duty of episcopal residence was based on a divine ordinance must be dropped, for such a declaration would only add to the general confusion. As to the most controversial question of the moment, the retroactive force of the ruling on the accumulation of benefices, Ardinghello took his stand by the Reform Bull of 31 December 1546 which permitted dispensations for the future "to learned and highly-placed persons", though for no more than three benefices, if the smallness of the revenues

or some other legitimate motives made it advisable. But the legates were instructed to extend this ruling to the past in accordance with the advice of the commission of cardinals. Ardinghello likewise agreed to the abolition of the union of benefices already granted for the owner's lifetime, but the holders of such benefices were to be allowed an adequate time-limit in which to resign their supernumerary benefices; the commission of cardinals was even willing to permit them to resign in favour of persons of their own choice. The examination of the pastoral clergy, on which the Spaniards insisted, Ardinghello rejected as superfluous and he also had misgivings about allowing ordinaries to depose ignorant or evil-living parish priests in cases other than those foreseen by Canon Law and solely at their personal discretion. The transfer of the informative process to the domicile of the candidate was useless, for unreliable witnesses might present themselves there just as well as in Rome. As for the new regulations for the right of ordination the prescriptions of the Reform Bull were also sufficient.

So much is clear: Ardinghello's reply kept to the strictly conservative lines of the curial reform party and shrank from a really incisive operation on the sore spots of the law concerning offices and ordinations. Although it left the legates a free hand on one important point, on most of the others it tied them to the old law. The powerful group in the College of Cardinals who either did not want a conciliar reform on principle—the men behind the Tridentine curialists—or else would not have it in any circumstances applicable to the past, had once again got the upper hand of the small number of strict reformers, such as Morone and Pole. For all that it was of paramount importance that the Pope placed full confidence in so keen a reformer as Cervini, whose prestige had risen to an extraordinary degree, thanks to the happy completion of the decree on justification. As a result the Pope resolved to allow the legates a relatively considerable freedom of action. The Cardinal of Santa Croce, it was whispered at the time among his friends in Rome, will know how to handle the scissors and how to trim the hair strictly according to measure, but he who hides his ear under his hair will have it ruthlessly cut off.

Ardinghello's reply reached Trent on 23 February. By this time the reform proposals, which had been improved in the meantime and were now formulated in twenty canons, had been handed out to the Fathers of the Council, to be debated by them at the second reading. The belated arrival of the Roman directives did not create any embarrassment for the legates for they had in fact acted on the lines prescribed.



The two gaps that had appeared in the draft of 3 February were now closed: canons 8 and 9 made sure that in future the grounds alleged in favour of permanent union of benefices would be tested by the bishops as to their validity. The bishops were also empowered to hold a canonical visitation of pastoral benefices, regardless of exemption or other privileges, and if need be to put suitable substitutes in charge of them. In addition to the previous canons 3 and 4 of the decree on residence (now numbered 17 and 18) concerning exemptions, can. 10 gave the ordinaries a general authorisation to visit, as delegates of the Apostolic See, all exempt pastoral benefices together with judicial powers enabling them to deal with definite complaints against the exempt (can. 19) and a limited right to supervise hospitals (can. 20). Can. 16 marked at least a step towards meeting the Spaniards' demands for the universal introduction of an examination of the pastoral clergy. It runs as follows: "A candidate presented, named, or chosen for a pastoral benefice may only be given canonical institution, admission or confirmation after he has been examined by the bishop and found suitable."

The twenty canons of the enlarged reform proposals of 22 February included almost without any alteration the five canons of the decree on residence of *Sessio VI*; the only innovation was a broadening of the reform programme and especially the strengthening of episcopal authority. It was natural to ask: "Why repeat these canons if they already have the approval of the Council?" This is precisely the point from which Pacheco started when, as the first, he gave his vote in the general congregation of 24 February<sup>1</sup>: "Before I give my vote", he

<sup>1</sup> The debate about the validity of the decree on residence of *Sessio VI*: *C.T.*, VOL. I, pp. 132, 135, 617 f.; VOL. V, pp. 975 f., 980; VOL. X, p. 828. In none of these passages is there a hint, as Abbot Luciano affirms in a letter of 25 February, VOL. X, p. 828, *n.* 5, that the protocol of the Session was *read* together with the votes. The legates' report clouds the state of affairs in that Cervini does not assert his dissenting attitude with a single word, but he lets it be seen that the declaration of 25 February was preceded by a lengthy discussion with the legates' confidants ("alcuni confidenti"), among whom, without a doubt, was Ludovico Simonetta, Bishop of Pesaro, who expressed his misgivings even in the general congregation, VOL. V, p. 980, l. 40.—The natural suspicion that for the sake of the declaration of validity on 25 February, the protocol was later tampered with, finds no support in that document. The number of 28 *placet* votes (out of a total of 60 bishops) given in the text is calculated on the data of the protocol, *ibid.*, pp. 804-9, in such wise that all votes with any kind of addition attached to them have been omitted, as, for instance, that of the Archbishop of Upsala and that of Ferretti (*placet cum promissione*) and above all that of Madruzzo (*placet quod placebit sanctae synodo*). The votes of the abbots and generals of Orders have also been omitted (5 in the protocol but since Seripando is missing the number is really 6); finally 4 votes which left the decision to the legates (in the protocol I can find only 3, viz. the Bishops of Matera, Torcelli, Chironissa). This explains the much

declared categorically, "I want to know whether or no the decree on residence possesses force of law. If it has force of law, as I believe it has, there is no need of another expression of opinion on the canons it contains: but if it has not force of law, I am prepared to include them in my vote." With this query he formally raised once more the question of the validity of the decree on residence which had been considered as settled. Cervini, who had never shared his colleague's opinion, endorsed the Spanish cardinal's view with so much speed and eagerness that one feels tempted to regard the proceedings as a pre-concerted arrangement. This was not a question of prestige for the Council, Cervini argued, as the president had made out; nor was it a *quaestio iuris*, as the Spanish jurists considered and accepted it; it was exclusively a *quaestio facti*, that is, a question whether there had been a majority of favourable votes. If there was such a majority the decree had force of law and could not be altered by a simple decision of a congregation—a change could only be made in a Session; hence before any further steps were taken, the facts must be examined anew.

Cervini's view prevailed, but not before the Bishop of Feltre had drawn attention to another possibility of saving at least a part of the decree on residence. The decree, he said, consists of five canons; only the first, the one dealing with residence, has met with serious opposition. Why then should they not declare the remaining four to have been accepted? The Bishops of Castellamare and Calahorra supported this proposal. Because a prelate, the latter argued, demanded that the cardinals should be included in the canon dealing with residence, it was surely not his intention to reject the whole of the decree.

This distinction, which it was not easy to refute by juridical arguments, was emphatically rejected by other jurists, such as the Bishop of Pesaro and by Pacheco and Del Monte. The decree, they maintained, is concerned with the obligation of residence and constitutes an indivisible whole so that objections to the canon on residence touch the entire decree. The story of its origin amply justified this point of view, which prevailed without difficulty. However, a fresh examination and evaluation of the protocol of the Session showed that to the twenty-eight favourable votes counted by the president several episcopal votes might

higher figures given by Del Monte on 25 February: 37(38) that is, 43 favourable votes, VOL. X, p. 828, l. 19; VOL. I, p. 618, l. 39; VOL. V, p. 980, l. 32. But I must confess that I am unable to resolve certain minor inaccuracies which, however, do not alter the result; they may be explained by the divergences between the protocol of the Session and later statements about the total number of the votes recorded, which oscillates between 65 and 68.

be added without any hesitation, above all the six *placet* votes of the abbots and generals of Orders which up to this time had always been included in the count, as well as the four votes which left the final decision to the legates. The result was that at the general congregation of 25 February Del Monte was able to announce that the relative number of the votes, 43—25, meant acceptance of the decree. With obvious reluctance the president accordingly declared the decree on residence of *Sessio* VI accepted and valid in law. This put an end to a state of suspense which could have been avoided had a committee been set up at once for the purpose of counting and appraising the votes that had been cast.

Even before this decision was reached the debate on the reform proposals—the whole set of them,<sup>1</sup> was begun on 24 February. On this occasion the vote of the Bishop of Fiesole gave rise to a sharp dispute which might have had the worst consequences for the existence of the Council and which were only averted by Cervini's prudent intervention.

Given his episcopalistic standpoint, the Bishop of Fiesole was perfectly logical when he declared that it was intolerable that the powers over the exempt allotted to the bishops in can. 5, 10, 17, 18, 19 should be conveyed to them not in virtue of their own prerogatives, but as delegates of the Apostolic See. The protest was not new, it had been raised in *Sessio* VI, but Pighino, who had only recently, on his elevation

<sup>1</sup> The reform proposals of 22 February, *C.T.*, VOL. V, pp. 972-5, were discussed in the general congregations of 24, 25 and 26 February, VOL. I, pp. 132-5; VOL. V, pp. 975-83, 986. It is strange that the legates' report of 25 February, VOL. X, pp. 827 ff., does not refer to the dispute about freedom of speech between the Bishop of Fiesole and the Spaniards on the one hand and Pighino and his adherents on the other. The informative letter of Abbot Luciano, VOL. X, p. 828, n. 6, cannot possibly be dated 23 February. The Spanish jurists see in the incident a proof "de la poca libertad que ay en al synodo", VOL. XI, p. 108, l. 7. Pratanus's *Epilogue* has only a very brief reference to the incident, VOL. II, pp. 392 f., but it accurately states that the legates did not allow themselves to be intimidated by the *zelanti*. But it is an exaggeration when it is said that they refuted them *asperis verbis*; Severoli, *C.T.*, VOL. I, p. 134, l. 37, and the acts, VOL. V, p. 979, l. 29, use the word *leniter*. Seripando's short note, *C.T.*, VOL. II, p. 434, l. 2, is very much to the point: "Tumultus magni contra Fesulanum excitati ac sedati prudenti Cardinalis S. Crucis sermone." On the other hand it is remarkable that in spite of this incident the legates were convinced already on the second day of the debate that the reform decree would be passed "senza molto contrasto et difficoltà", VOL. X, p. 828, l. 24; on the following day they reckoned with a quiet session, *ibid.*, p. 829, ll. 9 and 21.—Conclusion of the work of revision of the decree in the session of the committee of canonists on 2 March and in the general congregation of the same day, *C.T.*, VOL. I, p. 136; VOL. V, pp. 992 f. is almost identical. The reasons why the legates did not publish the brief of 25 February granting them extensive powers, VOL. V, p. 993, n. 3, are stated in their report of 3-4 March, VOL. X, p. 833, l. 9. For the course of *Sessio* VII see below, CH. X.

to the see of Alife, secured the right to vote at the Council, sprang from his seat and turning towards the legates exclaimed: "It is intolerable that the Bishop of Fiesole should attack the Holy See in this place." He demanded to see the speaker's manuscript so as to convict him of heresy. The word "heresy" was in the air: shortly before this incident the Bishop of Matera had described as heretics all who sought to curtail the authority of the Holy See. The Bishop of Fiesole refused to surrender his manuscript to one of equal rank, as he had every right to do, and Pacheco and the Bishop of Calahorra at once took his part while the Bishop of Castellamare exclaimed: "There is no longer any freedom here!"

At this stage the president intervened. Under pressure from the *zelanti* (the Bishop of Albenga had joined forces with Pighino) he summoned the bishop to give up his manuscript. The latter hesitated, but after the president had repeated his demand, he ended by handing it not to the president but to Cervini, protesting at the same time that he submitted his opinion to the judgment of the Council. This remark increased the Bishop of Albenga's irritation and there ensued an extremely heated verbal exchange between him and the Bishop of Castellamare, in which several Spaniards and the Bishop of Sinigaglia also joined. For nearly half an hour the conflict fluctuated this way and that. The *zelanti* only gave way when the Archbishop of Armagh, who had returned from Rome as recently as 22 February, related that the Pope himself had expressly stated that it was his wish that every member of the Council should speak his mind freely both on the doctrines of the faith and on the reform proposals, even if he were to utter downright heresy, on the one condition that he submitted to the judgment of the Council. With this condition the Bishop of Fiesole had complied in due form. Peace was at last restored by the legates and the discussion continued. However, when Ambrosius Catharinus, who was the last to speak, started once more to toss about the accusation of heresy, the Bishop of Calahorra begged leave to speak. He threatened to leave the Council if its freedom were to be injured by arbitrary invectives: "We are all of us ready to give our lives for the primacy of the Pope," he continued, "but we have been summoned here for the purpose of restoring ecclesiastical discipline. How can this object be attained if we do not uncover the Church's sores? The question is not whether the Pope has authority to act in this way or in that—the only question is whether at the present moment it is a good thing for the Church if, for example, the exemptions and unions (of benefices)

are allowed to go on. If the discussion of problems of this kind is an evil thing (*mala*), whatever are we here for?"

These courageous words disarmed the opposition. Pighino's defence was in reality a withdrawal: "To revoke all exemptions", he said, "was the same as depriving the Pope of the right of granting such privileges, while the abolition of all unions (of benefices) would only add to the confusion: it would be sufficient if existing abuses in this sphere were abolished." These ideas were worth considering; they were in agreement with the basic ideas of the curial reform party. However, Pighino had gone much further. He had attempted, by casting suspicion upon their orthodoxy, to cut short the speeches of those who did not share his views, among them an opponent so worthy of respect as the Bishop of Calahorra. He had arrogated to himself a right which was the exclusive prerogative of the legates. While Del Monte contented himself with exhorting both parties to respect each other's point of view and to cultivate a conciliatory frame of mind, Cervini acted in accordance with the dictates of justice. He rebuked both Pighino and Cicada for claiming a right that was the exclusive prerogative of the legates and exhorted the Bishop of Fiesole not to go on provoking the other side and to forgive his opponents. By this blame of the *zelanti*, mild as to its form but unmistakable as to its content, Cervini safeguarded freedom of speech at the Council and emphasised the conciliar leaders' independence of the party of the *zelanti*. The Bishop of Fiesole hastened to comply with this appeal to his Christian conscience; though the victim of the attack, he went over to Pighino and embraced him. This put an end to the incident.

The divergent conceptions of ways and means by which a reform was to be effected continued of course as before, but both parties were aware of the necessity of making concessions and that the middle course pursued in the proposals before them could only be subjected to minor alterations. On 24 and 25 February the Spaniards directed their attacks against exemptions and unions, their aim being to reduce the consequences of the former to a minimum and to rescind all surreptitious unions. This was the aim, for example, of the Bishops of Badajoz and Astorga. The prelates of the Curia, who kept up their resistance to any alteration of the old law and to the imposition of new penalties, had to bear with the Bishop of Agde when he asked them: "Of what use is it to renew the older papal constitutions? If they have not been obeyed up to now, they will not be complied with in time to come." "It is no use covering paper with writing", Pacheco said, "if we only

repeat what is old and add nothing that is new and appropriate to the times." His proposal that the Pope should revoke all unions enacted during the last fifty years in so far as they had been obtained surreptitiously was perhaps still capable of execution, but to rescind all existing unions, as desired by the Bishop of Calahorra, would probably have brought about a dangerous juridical insecurity. The Archbishop of Upsala was the only one to point to the difficulties which the application of can. 18 would create for the German cathedral chapters.

A further improvement of the climate of the debate took place when on 25 February, after all the bishops had given their votes, the president communicated to them the contents of the consistorial decree of 18 February, against the accumulation of bishoprics by the cardinals. The Council received the communication with deep satisfaction, regarding it as a token of good-will, which in fact it was. In the course of the special debate on the few remaining canons which then began and which ended with the general congregations of 26 and 28 February, the text was further toned down in a few places, for instance in can. 8, which meant that the perpetual unions *could* be dissolved, but need not necessarily be dissolved. On the other hand the text was somewhat tightened in other places (can. 9 and 10); but the general lines remained unaltered. A clause securing the authority of the Apostolic See—*salva semper in omnibus Sedis apostolicae auctoritate*—was inserted in the short preamble. With a view to meeting the Spaniards, Del Monte promised to seek a ruling on their as yet unfulfilled wish for the removal of existing accumulations of benefices on the parochial level. The committee of canonists which was convoked for the afternoon of 2 March, subjected the canons to a final filing process and the general congregation approved them by a great majority later in the afternoon of the same day. Out of the fifty bishops present only ten made certain reservations which sprang in part from episcopalistic notions (the Bishops of Sinigaglia, Fiesole, Castellamare and Lanciano objected to the clause *tanquam Sedis apostolicae delegati*), and partly from the Spaniards' chief concern, namely the removal of existing abuses in connection with benefices with the cure of souls attached to them (the Bishops of Badajoz, Astorga, Calahorra).

No previous reform debate had run so smoothly as this reading of the reform proposals of 22 February. In view of this undoubted success, the legates refrained from publishing a brief dated 25 February which they had received on 2 March. This brief empowered them,

with the consent of the majority of the Council, to take all the necessary measures to prevent papal dispensations from the duty of residence, the owning of incompatible benefices and unions of benefices effected by the Pope, from turning to the detriment of the pastoral ministry. In virtue of this document, which gave them full power, the legates might have gone even further in meeting the demands of the reform party; on the other hand its publication would have jeopardised the agreement so laboriously arrived at, which was to be promulgated on the following day. They accordingly refrained from communicating its content and made no alteration in the text of the decree. In *Sessio VII* held on 3 March the decree was accepted against only ten votes which were not unfavourable, but merely contained some cautious qualifications.

In spite of the critical result of the vote in *Sessio VI*, and the ominous tension between the Spaniards and the curialists in the course of the ensuing discussion, the legates, supported by an impressive gesture on the part of the Pope, had finally succeeded in eliminating the question of authority from one of the most difficult spheres and in finding a compromise. The reform decree of 3 March 1547 undoubtedly marked a step forward both in principle and in practice. It was the recognition of the leading conception of the Catholic reform; the principle that in the sphere of offices and holy Orders the requirements of the pastoral ministry have a prior claim. No less than five times the decree repeats the expression *cura* or *salus animarum*. The practical application of this guiding principle was still somewhat hesitant. Can. 1 and 3, on the choice of bishops and of priests for the cure of souls merely inculcated compliance with the old legislation and to that extent conformed to the curial party's notions of reform. What was new, however, was established by can. 13. This was the examination by the bishops of applicants for benefices nominated by corporations or other persons enjoying the right of nomination. It was not until the third period of the Council that the decisive question of the choice of personnel was discussed anew and satisfactory formulas were arrived at in *Sessio XXIV de ref. c. 1* and 18 and in *Sessio XXV de ref. c. 1*. Moreover, in addition to these measures, the Papacy introduced at least for Italy an examination of candidates for the episcopate such as had been advocated by Luigi Lippomani in the course of the debate of 1547.

The Spaniards' demand for a radical operation which would remove the root cause of the neglect of residence, namely the accumulation of

benefices, a practice due to two centuries' fatal ease in granting dispensations from that duty, remained unfulfilled, as did their further demand for the removal of the obstacles to episcopal activity, namely the exemption of institutions and persons, though they secured a number of partial concessions. In accordance with the consistorial decree of 18 February, can. 2 abolished the accumulation of bishoprics; can. 5 and 6 enabled ordinaries to examine, for their validity, dispensations for incompatible benefices and unions of benefices already effected, while can. 7 and 8 gave them the right of visitation of united and incorporated pastoral benefices and of all exempt churches.

Finally, can. 9-12 which dealt with promotion to Holy Orders also marked progress. They gave the bishops legal authority to deal with the hitherto uncontrollable issue of licences for ordinations by curial authorities and cathedral chapters during the vacancy of the see (*sede vacante*) and fixed a time-limit for the reception of the respective Orders at six months for a bishop, and one year for other clerics. In this sphere also the Council laid down stricter rules in the course of its last period, namely in *Sessio XXIII de ref.* c. 2 and 8. In the same Session of 15 July 1563 the Council formally substituted a new decree (*de ref.* c. 1) on residence for the one passed in *Sessio VI*. The latter, we read, had been interpreted in a sense which was not intended by the Council, that is, as if it had been its intention to allow bishops to absent themselves from their dioceses for five consecutive months. Fear of such an interpretation, which had become vocal even during the debate of 1547, had proved well founded. The new decree tightened the obligation and increased the penalties. In this way the Council showed that it regarded the first solution of the problem of residence as inadequate. The question may be asked: were not after all the two reform decrees, the formation of which we have followed up, little more than soap-bubbles blown into the air in order to impress the world?

The contemporaries did not view them in that light. Many a curial official must have perused the new regulations with deep concern. Gone were the care-free days of the Renaissance Popes, when a humanist or a mere parasite, could without scruple take his place at the richly decked table of the Church and with the revenues of his benefices enjoy, maybe, an *otium litterarum*, while his life had no apostolic character at all.<sup>1</sup>

<sup>1</sup> On 12 March Bianchetti wrote to Della Casa, who since 1544 was Archbishop of Benevento though he had not yet received episcopal consecration: "E ben vero che bisognava promoversi ad ogni modo ad sacros ordines, percioche N.S. non dispenserebbe hora come soleua fare ordinariamente, essendo questo decreto cosi fresco, come ella



The German cathedral chapters felt the enactments against exemptions as a threat. Though they could not, for the most part, claim papal exemption in the strict sense of the word, they nevertheless enjoyed a wide measure of independence of episcopal jurisdiction, based on statutes and election capitulations. This independence was revoked by *Sessio VI de ref. c. 4*, which gave the bishops the right to visit and correct in virtue of apostolic authority. Soon after the first, as yet vague, report of this action of the Council reached Salzburg, the cathedral chapter of that city decided on 8 February 1547 to despatch to Trent one of its members, Canon Wilhelm von Trautmannsdorf, with mission to prevent the curtailment—which was thought to be only imminent—of the rights of the chapter. At the same time it got into touch with the cathedral chapters of Augsburg, Freising, Ratisbon, Passau, Bamberg and Würzburg, but above all with Mainz. Armed with instructions to which the chapter had given its approval on 13 February, and letters accrediting him to Cardinal Madruzzo, Trautmannsdorf set out for Trent accompanied by a canon of Brixen, not otherwise known. He was received in audience at the general congregation of 7 March. However, in the meantime, the two canons had learnt that a decision had already been reached. They accordingly prayed for an authentic explanation of *Sessio VI de ref. c. 4*. “Is it the Council’s intention”, they asked, “to abolish by this decree the jurisdiction of cathedral chapters in the first instance, or does it intend to give the bishops authority to visit and correct chapters only when these bodies neglect to carry out this duty themselves?” (*ipsis capitulis negligentibus*). The chapters were prepared to agree to the latter interpretation but the former would have disastrous results for them because in that case the prince-bishops would feel completely free from any control of their administration and would accordingly oppress their chapters and rob them of their traditional prerogatives. If this were to happen, the new legislation would put the chapters at the mercy of

havra possuto vedere nella sessione ultima.” Sauli too will not obtain the dispensation from consecration which up till now had again and again been renewed, “di maniera che vuole consecrarsi questa Pasca”. He himself was likewise hit because now he was not likely to get a pension from the diocese of Tours of which Cardinal Armagnac had held out the prospect, Bibl. Ricci 5, fols. 229<sup>v</sup>-230<sup>r</sup>, or. P. F. Ricci also writes on 7 March 1547 to Pagni, when sending him the decrees of the Session, that he had already begun to give up his too numerous benefices, State Arch. Florence, Med. 382, fol. 90<sup>r</sup>, or. Madruzzo’s Roman agent, Aurelio Cattaneo, hinted as early as 19 February that it might be necessary for the cardinal to give up one of his two bishoprics, Trent or Brixen, State Arch. Trent, Cart. Madr. 1547, or. France also was urged at this time by the Pope to give effect to the decree “comme saint et utile pour le bien universel de l’Église”, Ribier, *Lettres et Mémoires*, vol. 1, pp. 581 f. (with wrong date).

the arbitrary government of mighty prelates who were also equipped with secular authority.<sup>1</sup>

The German chapters were co-regents of the ecclesiastical territories. By reason of their composition and legal position they differed vastly from the Italian and even the Spanish chapters. In their chapter meetings the canons of Salzburg had very properly pointed out that the protestantising attempts of the Archbishop of Cologne, Hermann von Wied, had in the main been thwarted by the resistance of his cathedral chapter. For the time being the conservative attitude of the chapters, which at a later date was to prove a grievous hindrance to Church reform, contributed to the preservation of the Catholic position. If the German bishops had been represented at Trent by proctors with knowledge of Canon Law, or by their auxiliaries, it would have been easy for them to draw attention to these circumstances and so to secure a corresponding formulation. But Trautmannsdorf was confronted by a *fait accompli*. He also made the mistake of presenting himself as the spokesman of all the chapters mentioned in the German concordats, although he was not in possession of legally valid credentials even from the chapter of Salzburg. When on 8 March he was asked for his credentials he felt embarrassed and eventually had to depart without an answer to his question. As a result of his report, representatives of the chapters of Salzburg, Freising, Ratisbon, Passau and Brixen met at Freising on 18 April when they decided to lay their grievances before the Council in due form through two proctors, Trautmannsdorf and Dr Conrad Arzt. However, the decision was not acted upon because in the meantime the Council had been translated to Bologna. But it is doubtful whether they would have been more successful than the representatives of the Spanish chapters who presented themselves at Trent in 1563. The tendency of the time to restore orderly conditions by reviving and strengthening the authority of the bishops was irresistible. The decrees of Sessions VI and VII were a first if modest beginning.

<sup>1</sup> The antecedents of the appearance at Trent of Trautmannsdorf, Canon of Salzburg, are given by K. Ried in "Deutsche Domkapitel gegen die tridentinische Reform", *Frigisinga*, III (1926), pp. 203-16, on the basis of the protocols of the chapter of Salzburg and material from the archives of Munich and Nuremberg. The memorial submitted on 7 March, in *C.T.*, VOL. V, p. 1009 f.; cf. also VOL. I, p. 623. According to Severoli, *C.T.*, VOL. I, p. 137, l. 33, the Council refused to consider the question because Trautmannsdorf and his companion claimed to represent all the chapters. How very little importance the legates attached to the whole affair appears from the fact that their reports to Rome do not breathe a word about it.

## CHAPTER X

### The Nature and Septenary Number of the Sacraments. Baptism and Confirmation (*Sessio VII*)

FOR a period of six months the Council had been almost exclusively occupied with dogma, but after *Sessio VI* its main activities were chiefly concerned with reform. The voting on the decree of episcopal residence of 13 January 1547 convinced the legates of the necessity of paying closer attention to Church reform if they wished to escape the suspicion that they deliberately sought to by-pass it. The programme originally agreed upon by the Council, namely the parallel discussion of dogma and reform, naturally remained in force, hence in accordance with the inner logic of the system as well as with the decision of the leaders of the Council, the next subject for the dogmatic discussions—the doctrine of the sacraments—had been fixed long ago. In the decree on original sin (*Sessio V*, cap. 3-5), as in that on justification (*Sessio VI*, cap. 6 and 14), the intimate connection between dogma and reform was suggested.

Cardinal Cervini, far-sighted as he was, had long ago made his preparations for the forthcoming debate on the sacraments. By his order the general of the Augustinians, Seripando, and the Jesuits Lainez and Salmeron, and probably some other theologians on whom he felt he could rely, had extracted from the reformers' writings and professions of faith, a number of propositions which conflicted with Catholic sacramental teaching and about which the teaching authority of the Catholic Church was bound to define its attitude. The thirty-five errors about the sacraments in general which were read out in the general congregation of 17 January (14 in number, hereafter designated by the letter A); about baptism (17, hereafter designated by the letter B); about confirmation (4, designated by the letter C), were for the most part accompanied by an indication of their sources. They had been extracted, though not in every case textually, from Luther's book *De captivitate babylonica*, from his *Disputations* and a number of his other writings; from the *Confessio Augustana* and its defence; from

Melanchthon's *Loci communes* and the so-called "Cologne Reformation" that is, a reform tract by the Archbishop of Cologne, Hermann von Wied, but mainly composed by Bucer. However, among the authors there also appeared the names of Nicholas Amsdorf (B 13) and Erasmus (B 15). Six propositions (A 2, 5, 14; B 3, 16, 17) are without indication of their sources; three others (A 10; B 6, 14) were vaguely described as doctrines of the Anabaptists.<sup>1</sup>

It was no accident that in the indications of sources Luther's *De captivitate babilonica* and the *Disputations* of the critical year 1520 recur so frequently, for in that year Luther had openly and finally thrown overboard the concept of the sacraments as elaborated by the early scholastics, and as a consequence, their septenary number which had been stabilised since about the year 1150. From now onwards a sacrament was for him a sign instituted by God and connected with a promise of grace, but which only became efficacious through faith in the

<sup>1</sup> In the list of *Errores haereticorum circa sacramenta in genere, circa sacramentum baptismi, circa sacramentum confirmationis*, C.T., VOL. V, pp. 835-9, which was submitted to the conciliar theologians on 17 January 1547, textual, or at least nearly textual, extracts from the writings of the reformers, with an indication of the sources, were for the first time made the basis of the discussions. In what follows we designate the three series of theses by A 1-14; B 1-17; C 1-4. Ehses has endeavoured to verify the quotations from the Wittenberg and Jena editions of Luther's works but there is no doubt that in this respect much remains to be done in the light of the Weimar edition and other modern means of research. Nor has anyone studied the extent to which Catholic controversial theology should be regarded as a transmitter of the theses. C.T., VOL. V, p. 837, l. 11, mentions the *Miscellanea* of Cochlaeus (Spahn, *Schriften-Verzeichnis*, no. 163) and in C.T., VOL. V, p. 963, l. 49, Seripando refers to the 21 theses against the Anabaptists by the same writer (Spahn, *ibid.*, no. 97).—On the preparatory work which Cervini pushed on "per più vie", C.T., VOL. X, p. 793, l. 11, all we know are the theses in Seripando's literary remains which Ehses noted in the apparatus of the *Errores*. From a letter of Claude Lejay to St Ignatius, 30 January 1547, we learn that the two Jesuits Lainez and Salmeron were also consulted, *M.H.S. J. Epp. Jaji* 333. It is remarkable that the theses A 2, 5, 14; B 3, 16, 17, given without indication of their sources, are missing in Seripando. Is he then the author of the rest? Against an affirmative answer there is the fact, (1) that Seripando shortens the theses; (2) that in his vote he says of a quotation from the *Confessio Augustana* that it is "perhaps" (*forte*) taken from Article 5, C.T., VOL. V, p. 962, l. 26.—For an orientation in Luther's sacramental teaching see R. Seeberg, *Lehrbuch der Dogmengeschichte* VOL. IV, PT 1, e fifth edn. (Basle 1953), pp. 386-96; F. Loofs, *Leitfaden zum Studium der Dogmengeschichte* (Halle 1906), pp. 752 ff.; A. Wagner, "Reformatorum saec. XVI de necessitate baptismi doctrina", *Divus Thomas Placentinus*, XLV (1942), pp. 157-85. W. F. Dankbaar, *De sacramentsleer van Calvijn* (Amsterdam 1941), I was unable to see, but it is of no importance for *Sessio VII* since Calvin is not mentioned at all in the *Errores* and is only once referred to in the debate by the general of the Servites, Bonuccio, C.T., VOL. V, p. 967, l. 28. On the other hand W. Jetter, *Die Taufe beim jungen Luther, Eine Untersuchung über das Werden der reformatorischen Sakraments- und Taufanschauung* (Tübingen 1954) is important, though in his exposition of medieval sacramental teaching (pp. 1-135) the author has not sufficiently taken note of the fact that in the teaching on *gratia increata* scholastic theology has not wholly ignored the personal reference.

promise, the effect being the forgiveness of sin and reconciliation with God. All their virtue, he said at this time when speaking of the sacraments, resides in faith, not in the performance of the rite; they are operative not because they are carried out but solely because they are believed in. The logical consequence of this doctrine would be that ultimately the word of God accepted by faith would be the only "sacrament". However, in obedience to God's word as contained in Scripture, Luther upheld the necessity for salvation of baptism and the Lord's Supper, in fact, for the time being, even that of Penance, but he denied from the first any sacramental character to Confirmation, Extreme Unction, Holy Order and Matrimony. His conception of the sacraments made it difficult for him to furnish proof of the theological possibility of infant baptism, yet he defended its necessity against the Anabaptists. With undeniable spiritual penetration he conceived reconciliation (with God) as a return to the faith of baptism, the sacrament of baptism as a "perpetual sacrament", and the Christian life as a "daily baptism". Although it cannot be denied that in his later years his thought was more sacramental than in the earlier ones, and although in the *Confessio Augustana* word and sacrament were placed on the same level, the original Lutheran conception of a sacrament as a sign requiring faith and operative through faith, was never abandoned. From this point of view Luther's position could be understood—it also provided the Council with its task.

It was a decidedly lighter task than the formulation of the decree on justification. The faith of the medieval Church, that God bestows his grace through the sacraments administered by the Church, was a living, unbroken faith. The scholastics had built up an extraordinarily differentiated sacramental theology. Besides earlier, partial decisions by the Church, the *Decretum pro Armenis* promulgated by the Council of Florence on 22 November 1439, supplied a comprehensive pronouncement by the ecclesiastical authority on all the seven sacraments. The reaction of Catholic controversial theology to Luther's sacramental teaching had been so swift and unhesitating that by itself alone it testifies to the existence of a firm sacramental consciousness. Henry VIII's *Defence of the seven sacraments* was the first of a long series of ripostes to Luther's attacks on the sacraments of the Church.<sup>1</sup> The

<sup>1</sup> The literature on the development of scholastic sacramental teaching is so vast that a few references must suffice. The year 1150 as the date from which the septenary number was universally taught has been demonstrated by B. Geyer, "Die Siebenzahl der Sakramente in ihrer historischen Entwicklung", *Theologie und Glaube*, XIX (1918), pp. 325-48. The opinions of the early scholastics on most of the questions discussed

Council was, therefore, on firmer ground when it defined its attitude to the sacramental teaching of the reformers, but—and this must not be lost sight of—it was also hampered by the doctrinal divergences, precisely in this sphere, between the great schools of theology. If anywhere, it was in connection with the sacraments that the problem of the relation of the Council to scholastic theology presented itself with particular acuteness.

at Trent in A. M. Landgraf, *Dogmengeschichte der Frühscholastik*, VOL. III, PT I (Ratisbon 1954), pp. 19-108 (economy of grace in the O.T. and Circumcision); pp. 119 ff. (intention of the minister); pp. 145 ff. (origin of the notion "opus operatum"); D. van den Ende, "Les définitions de sacrement pendant la première période de la théologie scholastique", *Antonianum*, XXIV (1949), pp. 183-228, 439-88; XXV (1950), pp. 3-78. An excellent cross-section of the sacramental teaching of the Dominican school in general—after St Thomas—is given by L. Hödl, *Die Grundfragen der Sakramentenlehre nach Hervéus Natalis O.P.* (Munich 1956), pp. 52-96 (causality of the sacraments), pp. 96 ff. (the minister's intention), pp. 180-229 (sacramental character); for the latter theme F. Brommer, *Die Lehre vom sakramentalen Charakter in der Scholastik bis Thomas von Aquin inclusive* (Paderborn 1908), remains important; J. Kürzinger, "Zur Deutung der Johannaufnahme in der mittelalterlichen Theologie", *Festschrift Martin Grabmann* (Münster 1935), pp. 954-73.—Out of the vast literature on the teaching of the theological schools on the efficacy of the sacraments I only mention: M. Gierens, "Zur Lehre des hl. Thomas über die Kausalität der Sakramente", *Scholastik*, IX (1934), pp. 321-45; H. D. Simonin-G. Meerseman, *De sacramentorum efficientia apud theologos Ord. Praed.* (Rome 1936); W. Lampen, *De causalitate sacramentorum iuxta scholam Franciscanam* (Bonn 1931).—The classification of the theses of Wyclif and Hus, which were condemned at Constance, and to which reference was frequently made in the course of the debate, is most easily found in Denzinger, no. 661; the *Decretum pro Armenis* of 22 November 1439, also frequently referred to, Denzinger nos. 695-702.

The only general account of the origin of the canons on the sacraments is in F. Cavallera, "Le décret du Concile de Trente sur les sacrements en général", *Bulletin, de Littérature eccl.*, VI (1914), pp. 361-77, 401-25; VII (1915), pp. 17-33, 66-88; IX (1918), pp. 161-81. The origin is also treated in detail by A. Michel, *Les décrets du Concile de Trente*, pp. 166-236, and in the article "Sacraments" of *D.Th.C.*, VOL. XIV, PT I (1939), pp. 485-644, especially pp. 596 ff., and by H. Lennerz, *De sacramentis novae legis* (Rome 1939). Theologians have given much attention to the speculative question of the causality of the sacraments which, as our text shows, the Council refused to decide. M. Oltra, "Die Frage der physischen oder moralischen Wirksamkeit der Sakramente zur Zeit des Konzils von Trient", *Wissenschaft und Weisheit*, IV (1937), pp. 54-61 (inadequate); D. Iturriz, "La definición del Concilio de Trento sobre la causalidad de los sacramentos", *Estudios eclesiásticos*, XXIV (1950), pp. 291-340, judges, in my opinion rightly, that can. 8 does not decide the question in a Thomistic sense; this paper, enlarged and published in book form (Madrid 1951) I was unfortunately not able to examine. M. Alonso, "Teoría sobre la causalidad instrumental en los profesores dominicos de la Universidad Salamantina", *Archivo teol. Granadino*, IV (1941), pp. 23-41, discusses Francisco de Vitoria, Domingo Soto, Melchior Cano, and others; for the latter see R. González, "La doctrina de M. Cano en su 'Relectio de sacramentis' y la definición del Tridentino sobre la causalidad de los sacramentos", *Revista española de Teol.*, V (1945), pp. 477-96; M. H. Laurent, "La causalité sacramentaire d'après le Commentaire de Cajétan sur les sentences", *Revue de science phil. et théol.*, XX (1931), pp. 77-82; A. F. Feliziani, "La causalità dei sacramenti in Domenico Soto", *Angelicum*, XVI (1939), pp. 50-8, 148-94. Valuable for an understanding of the discussions are the following: G. Rambaldi, *L'oggetto dell' intenzione sacramentale nei Teologi dei secoli*

It was considerations such as these that undoubtedly prompted Cervini to depart from the method hitherto followed in the treatment of dogmatic subjects by commissioning the conciliar theologians to draw the line of demarcation between Catholic and Protestant doctrine by means of a selection of theses from the reformers' teaching. It may be regarded as certain that he did not at first think of supplementing the canons that would have to be formulated with doctrinal chapters, as was done in the decree on justification. The description of the thirty-five theses as "errors" was a provisional one, as appears from the questions which he submitted to the theologians at the same time, namely: (1) Which of the propositions submitted are heretical and which are merely erroneous? (2) Are there any among them that need not be condemned? and if the answer is in the affirmative, on what evidence (*testimonia*) and by what reasons (*rationes*) are they supported? (3) Which propositions have already been condemned by earlier Councils or by the Fathers of the Church? (4) Is the list exhaustive? To these four questions the legates added a particularly opportune warning, to the effect that they should put on one side such differences as divide theological schools, "on which divergent opinions may be held without detriment to the faith", and "make use of a clear terminology". The admonition betrays Cervini's anxiety to forestall disputes between schools and to restrict as much as possible the use of the apparatus of scholastic concepts.<sup>1</sup>

*XVI e XVII* (Rome 1944); M. de Baets, "Quelle question le Concile de Trente a entendu trancher touchant l'institution des sacrements par le Christ?" *Revue Thomiste*, xiv (1906), pp. 31-47. P. Hörger, "Concilii Tridentini de necessitate baptismi doctrina in decreto de iustificatione", *Antonianum*, xvii (1942), pp. 193-222, 269-302, treats of the necessity of baptism, or the desire of baptism, in the discussions on justification but is important for an understanding of the canons on baptism. On Confirmation: W. Koch, "Die Anfänge der Firmung im Lichte der Trienter Konzilsverhandlungen", *T.Q.*, xciv (1912), pp. 428-52; A. Mostaza, "El ministro extraordinario de la confirmación en Trento", *Revista española de Teol.* II (1942), pp. 471-519.

<sup>1</sup> In Massarelli's list of theologians who spoke in the course of the nine congregations of theologians, 20 to 29 January, *C.T.*, vol. v, p. 862, the names of the Dominican Gaspar a Regibus (21 January) and the Carmelite Augustine of Siena (28 January) are missing. But many more theologians were then at Trent. On the 20th Massarelli gives their number as more than fifty, vol. v, p. 847, l. 35, and as fifty on the 25th, *ibid.* p. 856, l. 9. The number of speakers had not been restricted, at least not by the legates, since the termination of the theologians' congregation on the 29th, *ibid.*, p. 862, l. 17 is explained by the remark: "cum nemo alius loqui vellet." As regards the theologians of the mendicant Orders, the selection was probably made by the generals. In this way it came about that the three Hermits of St Augustine divided between themselves the three sets of questions they had to deal with, so that one spoke of the sacraments in general, another of Baptism and the third of Confirmation. Among the Carmelites also there is a certain division of labour: Francis Vita only speaks of

It is impossible to ascertain to what extent the conciliar divines took these exhortations to heart, owing to the circumstance that for all the nine congregations of theologians, from 20 to 29 January, we have only Massarelli's meagre diary but not a single original vote, so that all we know is the bare skeleton, but not the body, of the discussions, that is, their theological content. No significant change had taken place in the composition of the staff of theologians since the debate on justification. With 28 speakers out of a total of 35 the five mendicant Orders retained an absolute majority, of which the two branches of the Franciscan Order furnished exactly one half. This fact must be borne in mind for a proper judgment on the theological climate of the negotiations and their ultimate result.

The theologians had no intention of adopting as their own the decision presupposed by the selection of the theses submitted to them. The two doctors of the Sorbonne, Richard of Le Mans and Jean du Conseil, were in the habit of proceeding with the utmost caution when censoring doctrinal opinions and of refraining from a light-hearted fulmination of anathemas. In the light of what was said above, it was to be expected that there was no difference of opinion with regard to the essential doctrines. No one questioned the septenary number of the sacraments (thesis A 1), but the claim that all of them were necessary (A 2) met with objections since no Christian is bound to receive every one of them—they were necessary "in the Church, but not for every individual Christian". The Portuguese Dominican Gaspar a Regibus was of opinion that "it was not part of the faith" that one sacrament was more valuable than another (A 3). On the other hand there was complete unanimity in the answer to the central question, namely whether the sacraments were efficacious signs, that is, signs that effect grace. Some faint traces of the Scotist theory of the moral efficacy of the sacraments could be felt in the answers of a few Franciscan theologians (Vitriarius, Sebastianus a Castello), but none whatever in the

Baptism, *C.T.*, VOL. V, p. 859, Augustine of Siena only of Confirmation, *ibid.*, p. 860. The four questions, *ibid.*, p. 844, put to them by the legates obliged the theologians to attach a theological qualification to the propositions set before them, or as the case might be, to complete them, a proceeding that eased the drawing up of the protocols by Massarelli, *ibid.*, pp. 845-62. But the questions also tempted him to suppress the real theological explanations and proofs (let alone the actual references to sources), with the result that we are extraordinarily badly informed about the theological content of these congregations, especially as up to the present not a single original vote has been discovered. How meagre Massarelli's protocols are from the point of view of theology becomes apparent by comparing the vote of the Bishop of Fiesole in *C.T.*, VOL. V, pp. 908 ff. with the protocol, *ibid.*, p. 907.



thesis of the relation between faith and sacrament (A 4); but it was otherwise in the question of the necessity of the sacraments (A 3). The Portuguese Georgius a S. Jacobo, an adherent of the Dominican school, expressed a wish that in a supplementary thesis the causality of the sacraments should be defined in the sense of his school (*effectus . . . a Deo efficiente*). Nevertheless Antonio Solis, a secular priest and as such independent of the schools of the religious Orders, was fully justified when on 27 January he declared that: "All theologians are agreed that the sacraments convey (*conferunt*) grace when they are carried out, opinions only differ on the manner in which they produce this effect. Both views—that is, the physical and the moral causality—are supported by a number of theologians, hence neither of the two conceptions can be condemned and they must be content with rejecting the article (A 4) in the form in which it was presented."

Some uncertainty can be felt with regard to the thesis concerning the sacramental character (A 9). That the sacraments of Baptism, Confirmation and Holy Order imprint a character upon the soul, thereby rendering their repetition impossible, is not called in question; on the other hand opinions differ as to whether this is a dogma of the faith or merely a well-founded theological opinion, as Hieronymus ab Oleastro thought. The divergence is particularly noticeable in respect of the nature of the character. The votes of the theologians clearly reflect an as yet incomplete theological perception. A slight hesitation is likewise perceptible on the question whether the minister's intention affects the validity of the sacrament (A 13). In the early period of scholasticism Robert Pullen and his contemporary, Peter Lombard, whose *Sentences* still formed the groundwork of theological teaching everywhere, had taught that the external intention to perform the rite and its actual execution were sufficient, in fact it had been seriously argued whether baptism administered for a joke was valid. Now Luther maintained that the minister's intention was immaterial. These earlier opinions continued to influence not a few conciliar theologians, though the majority were inclined to demand from the minister a definite intention to do what the Church does—that is to perform the sacred rite in accordance with the mind of the Church.

A similar picture appeared also in their pronouncements about the sacraments of Baptism and Confirmation: unanimity on points where a line of demarcation between Catholic dogma and Protestant teaching was imperative, but differences in the theological explanations and statements. No one contested the fact that "the Catholic and Roman

Church possesses true baptism" (B 1); that baptism is necessary for salvation (B 2); that baptism by heretics is valid (B 3) and that a renewal of baptism must be rejected (B 6). Actually, all these questions, as well as the independence of the efficacy of the sacraments of the personal worthiness of the minister, had been cleared up since the days of St Augustine, or at least since the controversy about simoniacal ordinations in the early Middle Ages and, finally, since the condemnation of Wyclif and Hus. Only in regard to the thesis (B 4), scarcely intelligible when stated with such terseness, that baptism was penance, Andreas Navarra and others very properly observed that while in a certain sense baptism could be so described, it was not the sacrament of Penance. With regard to Confirmation, which the reformers disparaged by describing it as an "idle ceremony" (*otiosa ceremonia*, C 3, according to Melanchthon) the question of its institution—whether by Christ, the apostles, or the Church—around which there was still much controversy among scholastics, was hardly touched upon. Doubts were expressed whether the thesis (C 4): "Not only the bishop, but any priest is the minister of this sacrament", should be condemned when thus formulated, since according to Canon Law the Pope may empower simple priests to administer Confirmation.

The theologians' gravest objections were aimed at the three theses on the relation of the means of salvation provided by the Old Testament, for instance circumcision, to the sacraments of the New Testament (A 6), and that of the baptism of John to Christian baptism (B 9, 10). In his *Summa*, St Thomas taught that circumcision effected the remission of original sin and conferred grace, though not the ceremony as such, but if it was accompanied by faith in the future redemption by Christ. Many theologians closely assimilated John's baptism to Christian baptism because the repentance associated with it procured the remission of sin. In the Decree for the Armenians the difference between the means of salvation provided by the Old Testament and the sacraments of the New Testament had been clearly stated: "The former", it said, "did not cause grace, the latter contain and convey it." None the less, only a few theologians were prepared to condemn the three propositions in the form in which they were submitted to them. The majority were in favour of refraining from an authoritative pronouncement in this matter in view of the fluctuating state of opinion in the schools of scholastic theology.

Ample use was made of the possibility of proposing additional theses for condemnation. Some of the sixteen additional theses finally drawn

up by Massarelli were already comprised, or at least hinted at, in the thirty-five "errors", while others, such as the necessity of the use of water in baptism, were easily intercalated (additional thesis B 4 = can. 2 on baptism). A few of them, however, must detain us for a moment because they throw light on the theological situation. Richard of Le Mans had proposed the condemnation of the following thesis: "All the sacraments were not instituted by Christ" (additional thesis A 1). This formulation left room for the opinion of his brother in religion, Alexander of Hales, who taught that Confirmation was instituted by the Church. The consequence was that in the course of a subsequent general debate, the Jesuit Lejay and the Dominican Pelargus proposed a different formula, one which excluded the above deliberately chosen formula: "not all the sacraments are instituted by Christ". Lainez is the author of the additional proposition (A 3) "There is no sacrament which is not contained in Scripture", and Carranza of the thesis (A 2) "The sacraments are no more than signs and tokens of our profession of faith". The first additional thesis on Baptism was aimed at Cardinal Cajetan: "Children in their mother's womb may be saved by the invocation of the Trinity and a blessing". In his commentary on the *Summa* of St Thomas, the Cardinal had defended the opinion that if the life of an unborn child was imperilled, it was advisable to administer to it a kind of substitute for baptism while it was in its mother's womb; the invocation of the Holy Trinity joined to the intention of the parents might perhaps work the child's salvation.

The congregations of theologians from 20 to 29 January resulted in a classification of the errors discussed into four groups: (1) propositions unanimously condemned by the theologians. This group was by far the largest, twenty-four, and they were also the most important of all the errors submitted to them; (2) eight propositions which required a more accurate explanation, or, as the case might be, a new formulation. This group included chiefly propositions on which there was not as yet a uniform theological opinion; (3) three propositions which should be omitted, namely those on the relation of the sacraments to the Old Testament means of salvation; (4) sixteen additional theses.<sup>1</sup> In this

<sup>1</sup> The twelve general congregations on the sacraments from 8 to 21 February 1547 start from the *Summa sententiarum circa articulos de sacramentis in genere, de baptismo et de confirmatione*, C.T., VOL. V, pp. 862-8, in which the *Errores* submitted on 17 January are arranged in three groups, a fourth being formed by the proposed supplementary theses. This *Summa* was distributed to the prelates on 29 January, C.T., VOL. I, p. 608, l. 5, but on the 31st it was decided to postpone the general debate although Cervini still intended on the 26th to open it at once, VOL. X, p. 803, l. 21. The legates indicated

enlarged and theologically expressed form, the list of "errors" was handed to the prelates on 29 January as the basis for the forthcoming general debate. This debate, however, did not open in the following general congregation of 31 January. On a motion by Cervini it was put off for a whole week, to enable the Council to listen during the interval to the lectures of the conciliar theologians on the sacrament of the Eucharist. This was an unusual proceeding. It was prompted by the Italian custom of choosing the Lenten preachers from among the most outstanding theologians of the mendicant Orders, and in this year the Lenten sermons began on 23 February (Ash Wednesday). There was reason to fear that before long a considerable number of conciliar theologians would have to leave Trent. In order to assure the continuation of the dogmatic discussions it seemed advisable to hold the theologians' congregations on the next main article in the forenoon, before the opening of the general debate on the doctrine of the sacraments. The hours of the afternoon were taken up by the general congregations on the decree on residence (cf. CH. IX). The general debate on the above mentioned four groups of "errors about the sacraments in general and about Baptism and Confirmation", only opened on 8 February. It continued, in twelve general congregations, until 21 February. This debate only changed the picture we have formed as a result of the theologians' congregations in points of detail; what was new and important for the interpretation of conciliar decisions was the criticism of the method adopted by Cervini, namely the basing of the discussion on theses propounded by the reformers.

the reason for the postponement in their report of 1 February, *ibid.*, p. 805, l. 27; at that time they still hoped to be able to get the articles on the Eucharist completed in *Sessio VII*. In the twelve general congregations between 8 and 21 February (the 13th and 20th were Sundays) fifty-nine prelates gave their votes, that is on an average five a day. Since the congregations lasted four hours each, each vote must have occupied three-quarters of an hour. In view of so much space being allotted to each speaker Massarelli's protocols, VOL. V, pp. 895 ff., 903 ff., 907 f., 921-33, 935 f., 959 ff., are extraordinarily meagre. Only four original votes have been preserved, viz. those of the Bishops of Ascoli, VOL. V, pp. 904 f., and Fiesole, *ibid.*, pp. 908-12, which show the latter prelate, who was at times treated as an *enfant terrible*, to have been an able theologian; Seripando's vote, *ibid.*, pp. 962-7; the vote of the Carmelite general, *ibid.*, pp. 968 ff., was read in the latter's absence by Massarelli on 21 February. Seripando's vote is an extract from his comprehensive tractate, VOL. XII, pp. 747-60. On the baptism of John we have a tractate by the procurator-general of the Hermits of St Augustine, Christopher of Padua, probably composed at this time also, VOL. XII, pp. 760-3. The numbering of the articles in the votes is not uniform so that confusion is easy; thus for instance, the Archbishop of Aix, VOL. V, pp. 929 f., bases his vote on the *Errores* in their original form. The legates' reports refer only incidentally to the general congregations on the sacraments, VOL. X, pp. 817, l. 32; 818, l. 24; 822, l. 13; their main interest at the time was the negotiations for reform.

A number of Fathers of the Council had evidently misunderstood the classification of errors into four groups. They seemed to think that it was also intended to divide into categories the final condemnation of these errors, that is, to describe some as heretical, others as erroneous, others as scandalous, as was the practice, for instance, of the theological Faculty of Paris, and as the majority of theologians had suggested while the Bull *Exsurge* was being drawn up (cf. VOL. I, p. 174). This misunderstanding accounts for the proposal of the Archbishop of Sassari and the Bishops of Matera and Porto that all the errors should be branded with the three censures combined (*mixtim*) that is, that they should not be labelled individually. This course had been followed in the condemnation of Wyclif's teaching by the Council of Constance and in the Bull *Exsurge* against Luther.

This proposal met with determined opposition on the part of Bishop Archinto of Saluzzo. The consequence of a combined application of all three censures, he argued, would be that no one would know clearly which propositions were heretical and which were merely erroneous or scandalous. It would be much more appropriate to abandon the idea of condemning particular propositions and to provide instead a positive statement of the Church's teaching concerning the sacraments, on the model of the Decree for the Armenians, and to anathematise those who did not accept these doctrines. In Archinto's opinion, therefore, the Council should not lay down any canons by which Catholic doctrine would be marked off from Protestant teaching, but should content itself with doctrinal instruction. Coming from Archinto, this proposal need not surprise us. As recently as the year 1545, in his capacity of Vicar General of the diocese of Rome, he had published a tract entitled "On Faith and Sacraments" which provided in a somewhat meagre form all that it is necessary to know. This tract had been reprinted in the following year at Ingolstadt, on the initiative of Johann Cochlaeus. If the Council was prepared to content itself with "doctrine", Archinto's little book provided a blue-print.

It is of the utmost significance for a right understanding of the Tridentine dogmatic decision that the Council did not follow this course—an eminently practical one for the statement of the faith, but an extremely risky one for an accurate delimitation of Catholic doctrine from Protestant teaching—but kept to the practice of condemning individual propositions—that is to Cervini's method. "None of this kind of doctrine!" the Bishop of Astorga exclaimed, when he attacked Archinto's proposal on 15 February; "let the Council condemn

specific articles extracted from the writings of the Protestants, and with the indication of the names of their authors." The Bishop of Calahorra went even a step further: not only must the names of the authors be given, but their books must also be condemned by the Council. The Bishop of Clermont drew yet a further consequence: the Protestants must be summoned to the Council to account for their teaching.

However, a change such as this, which would have turned the Council into a tribunal, did not materialise, but the legates took the proposals of the two Spaniards, which were supported by several Italians (for instance by the Bishops of Bertinoro and Alife), so seriously, that they reported on them to Rome and asked for instructions. The Pope upheld the earlier policy, namely, a clear differentiation between the Catholic and Protestant doctrinal position, but there was to be no condemnation by name of Protestant authors.

Archinto's proposal that the Council should be content with a coherent exposition of Catholic teaching on the sacraments, met with no response, but his criticism of the classification of the censures proved effective. The Bishops of Calahorra and Clermont, and subsequently also Ambrosius Catharinus, spoke against the adoption of the method followed at Constance of imposing a graded but combined application of all three censures. Cervini did not advocate it because he had never meant to adopt it. This clinched the matter. It was decided that the Council would delimitate the Catholic doctrine of the sacraments from the Protestant by means of canons anathematising specific propositions which stated the contents of Protestant teaching, even if they were not formally found in their writings, and thereby reject them as contrary to the Catholic faith. It should be observed that at this time the anathema had not yet entirely lost its disciplinary character: it was still a formula of excommunication. For this reason it was all the more easy to refrain from a nominal condemnation of Protestant authors. The prelates and theologians of the Council, above all Cardinal Cervini, still entertained a somewhat wider conception of faith and heresy than that elaborated by modern theology. Hence the canons, with their appended anathemas, are not to be regarded, without more ado, as so many definitions *de fide divina*; what they do is to express the fact that a specific doctrine is in formal opposition to the faith proclaimed by the Church, so that whosoever maintains such a doctrine denies her teaching authority and thereby separates himself from her.<sup>1</sup>

<sup>1</sup> In the course of the debate on the method which the Council intended to adopt in the condemnation of the sacramental doctrine of the reformers the votes of the Bishops

He who undertakes to delimitate the Church's teaching in this way is bound to do all in his power to give an accurate account of the opponent's teaching. There was a number of prelates who appreciated this, men such as the Bishop of Feltre, Claude Lejay, Bonuccio and Seripando, whose knowledge of Protestant teaching was derived from their acquaintance with Protestant literature. "If the opponents do not make a given statement, it may not be falsely ascribed to them", Seripando said in his vote of 19 February, a noteworthy one in many ways and the only one of the four prelates' votes of which we possess the text. "I agree with the theologians in the condemnation of the proposition (A 11): 'All Christians of both sexes have the same power in the administration of word and sacrament'; but I would only allow the words 'of both sexes' to stand, if it can be proved that they are found in the books of the heretics."

Another significant characteristic of the general attitude of the Council is that the concept of the sacrament as an efficacious sign, met with no opposition, even from prelates of the Franciscan school. On the other hand there were only a few among them who did not allow their opposition to the Lutheran conception of a sacrament to prevent them from stressing the necessity of faith, not only the habit of faith, but faith in the sacrament as effecting grace when received (thus the Bishops of Sinigaglia, Castellamare and Seripando). Seripando even

of Sassari and Porto were important, *C.T.*, VOL. V, pp. 896, 908, as was the contrary proposal by the Bishop of Saluzzo, *ibid.*, p. 925; details about the latter's book, *De fide et sacramentis* (1545) in Lauchert, *Die italienischen literar. Gegner Luthers*, pp. 467-74. The votes of the Bishops of Astorga and Calahorra, who caused the collapse of the plan for a "doctrina", *C.T.*, VOL. V, pp. 930 f.; however, De' Nobili had already demanded the condemnation "sine doctrina", *ibid.*, p. 903. The Bishop of Clermont and Ambrosius Catharinus spoke against the gradation of the censures, *ibid.*, pp. 932 f., but the *uno ictu* of the Bishops of Bosa and San Marco, *ibid.*, pp. 908, l. 1; 922, l. 19, must surely be understood in the same sense. To the legates' questions in Rome about mentioning names in the sentence of condemnation, VOL. X, pp. 818, l. 20; 833, l. 37, Farnese answered on 25 February in the negative: "Bastando, quanto allo effetto che si cerca per il concilio, che si sapesse la verita delle positioni catholice o heretiche", VOL. X, p. 827, l. 1. The efforts for an exact statement of Protestant teaching by the Bishop of Feltre, VOL. V, p. 903, l. 30; by Lejay, *ibid.*, p. 935, l. 29; by Seripando, *ibid.*, p. 962, l. 25; by Bonuccio, *ibid.*, p. 967, l. 25, later, on 1 March, also by the Bishop of Porto, *ibid.*, p. 988, l. 9. F. Fransen's view of the significance of the anathema at Trent, "Réflexions sur l'Anathème au Concile de Trente", *Ephem. theol. Lovan.*, XXIX (1953), pp. 657-72, is confirmed by a remark of Ambrosius Catharinus, *C.T.*, VOL. V, p. 933, l. 17: "Omnes articuli propositi damnandi sunt ut haeretici, quia cum sint contra usum Romanae Ecclesiae, ergo haeretici." In point of fact VOL. V, p. 986, l. 14 proves that the condemnation of the books of the Protestants was already contemplated. Pacheco felt that the legates wished it but shrank from the citation of the authors which, at that time, was regarded as necessary, their reason being that the document of citation would raise once more the question of the Council's seal and title, VOL. XI, p. 103, l. 38.

quotes the saying of St Augustine (*De doctr. christ.* I, 18): "He who does not believe that his sins are forgiven, they are not forgiven him."

The septenary number of the sacraments was likewise excluded from the debate—it was already contained in the Decree for the Armenians. Even the additional clause "neither more nor less", the first part of which was not simply dictated by the condemnation of Luther, met with no opposition. It is remarkable that no allusion whatever was made to the historical formation of the septenary number. The Council contented itself with pointing to the analogies to be found in Scripture (Apoc. I, 16; v, 1; Exod. xxv, 3, etc.), but overlooked the fact that their number was not to be found in the decisions of the Councils nor in patristic literature, and that more than a thousand years had elapsed before the identity of the sacramental rites in use from the days of the early Church with the two chief sacraments, Baptism and Eucharist, was recognised. The Council simply stated the fact of the unanimous belief of the Church in the septenary number.

This attitude of mind is connected with another omission, a surprising one for the modern theologian, namely that the institution of the sacraments by Christ was not subjected to a thorough discussion, although in connection with the sacrament of Confirmation this question forced itself upon the attention and, as we have seen, had already occupied the scholastic theologians. The Council by-passed it and did not devote a special canon to it (thus the supplementary thesis A 1), but on a suggestion of the Bishop of Porto, ended by stating in the introductory canon on the septenary number of the sacraments, in the briefest formula imaginable, that "all the sacraments were instituted by Jesus Christ".

The same endeavour to keep clear of theological disputes appears in the Council's treatment of the supplementary thesis of the Jesuit Lainez who asked for a condemnation of the proposition that all the sacraments must be proved from Scripture. From the standpoint of *Sessio* IV, which had laid down the principle that Scripture and Tradition are equally authoritative sources of revelation, no objection could be raised against the motion: however, here there was also a question of fact to which more than one answer seemed possible. Seripando accordingly carried the day with his proposal that this article be passed over in silence "lest an impression be created that our seven sacraments have no foundation in Scripture".

On the other hand there was no escape from a discussion of the foundation in divine revelation of the sacramental character. Several



Fathers, for instance the general of the Conventuals and evidently also the general of the Carmelites, contested the possibility of a scriptural proof for it, while others affirmed it emphatically (the Bishop of Porto, Bonuccio) and disapproved of the notion of some conciliar theologians that the doctrine of the sacramental character was no more than a theological opinion, though a well-founded one. The plenary assembly of the Council recognised it as a doctrine of the faith—of course in the wider sense described above—but did not include in its decision the still fluctuating opinion of theologians concerning its nature. At the conclusion of the debate the general of the Carmelites Audet made the following statement, without a dissentient voice being heard: "There is general consent in the Catholic Church that the sacramental character is a spiritual sign indelibly imprinted upon the soul; in my opinion, those who delight in the discussion of controverted questions should be silenced."<sup>1</sup>

The independence of the Fathers of the Council of the advisory body of its theologians was made particularly evident by their attitude to the three propositions of the third category, the omission of which had been recommended by the majority of the theologians. Basing themselves on the Decree for the Armenians, they decided that the theses on the baptism of John must be included in the condemnation. On the other hand only a fraction of the additional theses proposed by the theologians received consideration.

<sup>1</sup> It is impossible within the framework of a general historical presentation to touch even lightly on every individual theological problem, important though it may be. The following have been singled out: faith and sacrament on which the Bishops of Sinigaglia, *C.T.*, VOL. V, p. 903, l. 11, and Castellamare, *ibid.*, p. 924, l. 16, as well as Seripando, *ibid.*, p. 962, l. 12, gave their opinion. Bonuccio, *ibid.*, p. 967, l. 15, rejects the necessity of a special faith in each sacrament but we may take it for granted that, like the above-named, he too accepted the necessity of the Catholic faith in connection with all the sacraments and of faith in the forgiveness of sins in connection with particular sacraments, but of this Massarelli makes no mention. The Bishop of Pesaro as a matter of fact demanded a further clarification "de fide in sacramentis", VOL. V, p. 925, l. 2.—The Biblical analogies of the septenary number of the sacraments in the vote of the Bishop of Motula, *C.T.*, VOL. V, p. 922, l. 39; Seripando's observation on the scriptural proofs of the sacraments, *ibid.*, p. 963, l. 51.—The generals of the Conventuals and the Carmelites spoke *against* the possibility of scriptural proof for the sacramental character, *C.T.*, VOL. V, pp. 936, l. 35; 969, l. 28; *for* it the Bishop of Porto and Bonuccio, *ibid.*, pp. 921, l. 44; 967, l. 23. On this point the Council acted on De' Nobili's principle, *ibid.*, p. 903, l. 43: "De caractere debet distingui, et damnari, quod non sit character; sed quid sit, non damnandum, cum variae sint opiniones."—Cajetan's teaching about a substitute infant baptism was especially attacked by his old opponent Ambrosius Catharinus, *C.T.*, VOL. V, p. 933, l. 38; in his defence the Dominican general pointed out that the cardinal had expounded his view not *assertive* but *sub correctione*, *ibid.*, p. 960, l. 17. Seripando defended him, *ibid.*, p. 966, l. 18, with the very characteristic argument: "If we condemn Cajetan there follows that faith had greater power in the Old Testament than it has in the New."

We pass over a number of supplementary suggestions for the completion and improvement of the text, all of them interesting from the theological point of view, which were made in the course of the debate, in order to consider as briefly as possible two questions which force themselves upon the Church historian as he peruses the account of the conciliar deliberations. By the administration of the sacraments, together with the proclamation of the word of God, the Church carries out the charge laid upon her by Christ, the fulfilment of which is of the very essence of her life. If anywhere, it is in this sphere that doctrine and life must not be separated, for they constitute an indissoluble unity. Was Trent aware that behind the Protestant objections to the Church's sacramental teaching there lurked not only the new conception of the appropriation of salvation, but likewise opposition to the Church's sacramental practice? Were the Fathers aware of the difficulties created for that teaching by the historical development of the various forms used in their administration?<sup>1</sup>

The answer to both questions must be in the negative. On 9 February, the Bishop of Sinigaglia had indeed demanded "greater care and reverence" in the administration of the sacraments, and on 12 February Lippomani, the coadjutor of Verona, had suggested that the Council should consider the suppression of "the numerous abuses that had crept into the administration of the sacraments", and before either of them the Servite Mazochi had complained, on 28 January, that neither parents nor godparents taught the truths of the faith to the rising generation. However, it is evident that an overwhelming majority of the members of the Council did not pay adequate attention to the connection between the ignorance of the faithful about the sacraments and the abuses in their administration on the one hand, and on the other hand the rejection of several sacraments by the Protestants and their new sacramental conception. Only at a later period, at Bologna, did the Council make up, at least partially, for this lack of a full appreciation of

<sup>1</sup> The connection between sacramental practice and sacramental teaching is at least hinted at by the Bishop of Sinigaglia, *C.T.*, vol. v, p. 903, l. 22; by Lippomani, *ibid.*, p. 925, l. 11; and in some way by Mazochi, *ibid.*, p. 860, l. 20. The Bishop of Corfu's mistake about the omission of Confirmation by the Greeks, *ibid.*, p. 935, l. 25; as for the priests in Pera who administered Confirmation on the ground of an alleged privilege of Martin V, they were surely followers of the Latin rite, *ibid.*, p. 932, l. 39. —In connection with the *Errores A 12* and *B 11* the question was repeatedly asked in the course of the debate what were the *ritus substantiales*, e.g., *ibid.*, p. 903, l. 16. Seripando surely gave a correct explanation of the expression "ritus" when he took it to mean not the "form" in the theological sense but the rite introduced by the Church, *ibid.*, p. 965, l. 34.

the problem. The thesis that arbitrary changes in the ritual of administration were permissible (Thesis A 12 and B 11 = can. A 13) was rejected, it is true, but the development of the form of administration, for instance in Confirmation, did not constitute a problem for the Council and the practice of the Greeks to allow Confirmation to be administered by the priest immediately after baptism was not seriously discussed. What an error of judgment, when one reflects that the Archbishop of Corfu stated that among the Greeks of his diocese Confirmation—and the Anointing of the Sick—were unknown! For all that, only a superficial observer would accuse the Council of reaching its decision with undue haste and without a thorough examination of its problems. When we judge that assembly we must always keep before our eyes the aim which both leaders and members had before them—none other, in fact, than that of delimitating the Catholic conception of the sacraments from the Protestant. It was not their aim to provide a full and exhaustive exposition of the whole of the Church's sacramental doctrine.

Between 21 and 26 January, Cervini formulated the canons in which the dogmatic definitions of the Council were to find their expression. In this task, for which he took into consideration the proposed alterations which Massarelli had tabulated on the basis of his protocol, he was assisted by his confidential advisers of whom Massarelli's diary mentions only two by name, Seripando and Bertano. In drawing up these canons, their authors were guided both by Seripando's principle that the Council's task was to define, not to explain, and by the warning of the Bishop of Feltre, not to pile up condemned propositions *ad infinitum*. The fifty-one theses submitted to the Council in the course of the general debate were reduced to thirty canons, while an appendix justified the omission of nine theses from all four categories. These canons were handed out to the Fathers on 26 February; their discussion occupied only two general congregations held in the morning and afternoon of 1 March.<sup>1</sup>

<sup>1</sup> For the formulation of the 30 *canones de sacramentis* of 26 February, *C.T.*, VOL. v, pp. 984 ff. (13 on the sacraments in general, designated by us by A; 14 on Baptism, designated by B; and 3 on Confirmation, designated by C), the *Censurae Patrum*, *ibid.*, pp. 971 f. and Massarelli's notes on 21 and 26 February on his visits to Seripando and the Bishop of Fano, VOL. I, pp. 616, l. 36; 619, l. 36, are important. But there can be no doubt that others also collaborated and Cervini certainly took his share in the work. A comparison of VOL. v, p. 972, l. 15, with p. 985, l. 53, shows that the authors of the canons did not slavishly stick to Massarelli's *Censurae*. In the first passage we read: "Censuerunt omnes ut primus damnetur" (Thesis A 6); in the second the omission is justified by the circumstance that the majority had pronounced *against* a condemnation.—The debate on these canons occupied the two general congregations of 1 March, the first of which took place at 15 h = 9 a.m., the second at 21 h = 3 p.m.

In this debate a number of previously ventilated differences came to life once more. Pacheco complained that the question of Christ's baptism by John had not been adequately discussed, while the Archbishop of Clermont was opposed to the denial of the sacramental character being punished with anathema. But the bulk of the suggested alterations were only concerned with shades of meaning or with a more precise wording. They were studied by the theological committee on the next day and were finally either embodied in the decree, or rejected by the general congregation which followed immediately. Only two of these alterations must occupy us for a moment because they are important for the relation of the decree to scholastic theology as well as for its interpretation.

In can. A 6 the Archbishop of Palermo, supported by the Bishops of Bosa and Huesca, suggested that the expression "the sacraments confer grace on those who receive them worthily" (*rite et digne suscipientibus*) should be replaced by the usual scholastic term: "to him who puts no obstacle" (*non ponenti*, or, *ponentibus obicem*). These terms were already found in the Decree for the Armenians and in the original thesis A 4, but had been suppressed in the canons. They were now reinstated. On a motion of the Bishop of Bitonto a clause was inserted in can. A 8, that the sacraments produce their effect through the very performance of the rite (*ex opere operato*). In both instances the Council, for the purpose of clarifying the subject-matter, adopted the familiar scholastic terminology which had been eschewed in the original formulation of the canons. Can we conclude from these last-moment alterations that the Council had adopted a decisive attitude in the controversy about the causality of the sacraments?

It cannot be denied that the expression: *ex opere operato*, together with the words: *continent gratiam*, seem to favour the Thomastic theory of instrumental causality. But the following fact must also be taken into account: the suggestion of the general of the Conventuals, to replace *continere* by *significare*, was not acted upon, chiefly because *continere* was already found in the Decree for the Armenians. On the

and lasted until 1 h of the night = 7 p.m. The protocol is in VOL. V, pp. 986-91; Severoli disposes of it with the words: "Magis verba quam rem ipsam decreti tangentes", VOL. I, p. 136, l. 3, which is surely too summary. In this instance Pratanus is near the truth when he says of the Fathers of the Council: "canones summa diligentia et studio excusserunt", VOL. II, p. 393, l. 21.—The committee of theologians which examined the amendments, C.T., VOL. V, p. 991, met twice on 2 March, at 9 in the morning, at the house of Cervini, and at 2 in the afternoon in the hall of the congregations in the Palazzo Prati which made it possible to hold the general congregation immediately afterwards. This congregation approved the canons, *ibid.*, pp. 992 f.

other hand, the expression *opus operatum*, proposed by the Bishop of Bitonto, also a Franciscan, was embodied in the decree. The proposal of the Bishop of Feltre, to describe the sacraments as "instruments" of grace, fell through. But above all, the whole course of the debate proves that it was not the Council's intention to decide a well-known controversy of the schools. The Franciscans and their adherents, numerically more strongly represented than the Dominicans, did not feel that their pact-theory had been condemned, so long as they accepted the essential point of the decree—which was directed against the reformers—that is, the concept of the sacraments as an operating and effective sign. But on this point they were perfectly at one with the opposite school. For the Dominicans it was matter for satisfaction that at the request of the Bishop of Fano, the opinion of their former general Cajetan on a substitute infant baptism, was definitely put aside, though for the obviously threadbare reason that it had nothing to do with baptism. Thus it came about that the only canon not stemming from Reformation sources, was the anti-Erasmian can. A 14 which was aimed at the freedom of choice claimed for the baptised adolescent. It was condemned in the form suggested by Seripando because it seemed to favour the Anabaptists.

For a right understanding of the aim and meaning of the canons on the sacraments in general, and on Baptism and Confirmation, which were submitted to the Council in their definitive formulation on 2 March,<sup>1</sup> we must compare them with the Decree for the Armenians of

<sup>1</sup> It is not the purpose of a comparison between the thirty canons on the sacraments and the Decree for the Armenians to plumb their dogmatic depth from every side; this I must leave to the specialists. Its sole aim is to underline once more the result of the previous presentation, which is that the deliberate purpose of these canons is to draw a line of demarcation between the Catholic belief and the Reformation and that the omission of doctrinal chapters—the "doctrina"—is conditioned by this aim. Abbot Luciano considerably overshoots the mark when in his report to the Duke of Florence, *C.T.*, VOL. X., p. 881, he criticises the decree for following "in tutto" the Council of Florence; "confutare" and "nominare le ragioni" was not the Council's task but the theologians'. When he finally asserts: "niuno vole o non ardisse (!) di addurre nè recitar le ragioni de li adversarii", the answer is that the story of the formulation of precisely this decree shows that so general an assertion is beside the point. One of the chroniclers of *Sessio VII*, Pratanus, thought that this self-imposed restraint by the Council went too far when he wrote, VOL. II, p. 392, l. 32: "nudi canones . . . excussi et promulgati sunt sine ullis canonum praemissis expositionibus." Again, in my opinion, there can be no reasonable doubt that the Council was unwilling to take up a definite attitude in regard to the theological schools' theories concerning the causality of the sacraments, hence Reinhold Seeberg's opinion (*Lehrbuch der Dogmengeschichte*, VOL. IV, PT II, p. 783, n. 1) that the road of the Scotist theory was blocked, cannot be maintained. Schottenloher, no. 43209 f., notes two printed editions of the canons on the sacraments, together with the decree on justification, one at Cologne (Melchior Novesianus) and another at Ingolstadt (Weissenhorn).

the year 1439, not only because that decree was the latest and most comprehensive pronouncement by the supreme *magisterium* on sacramental doctrine, but also in view of the above-mentioned debate on Cervini's new method. The Decree for the Armenians is described as "a very brief formula" (*brevissima formula*) of the Catholic teaching on the sacraments, whereas the Tridentine decree consists exclusively of canons. The former expounds, the latter delimitates, but on the two decisive points of sacramental teaching in general, namely the septenary number and the sacramental concept, there is an essential agreement between the two documents. The introductory canon makes two additions when it says that there are seven sacraments—neither more nor less—and that they were instituted by Christ Himself. The two expressions—decisive for the Tridentine conception of an efficacious sign—namely that the sacraments both contain and convey grace, are already found in the Decree for the Armenians, but here the concept is marked off from the Lutheran sacramental concept and the *sola fide* doctrine by means of several canons. The purpose of the sacraments is not merely to foster faith (*propter solam fidem nutriendam*, can. A 5), nor are they nothing more than external signs of grace or justice received through faith, or distinguishing marks of believers (can. A 6): on the contrary, they contain the grace to which they point and convey it to those who put no obstacle in its way, and this always and on all (can. A 7). They produce their effect through the carrying out of the rite (*ex opere operato*) and not solely through faith in the divine promise (can. 8). Much more cautiously than the Decree for the Armenians, can. A 2 declares that the difference between the sacraments of the New Testament and the means of salvation available in the Old, is not one of ritual only. The sacraments are not all of equal value (can. A 3); they are necessary for salvation, though not all of them for every individual; hence it is impossible without them, or a desire for them, to be justified before God by faith alone (can. A 4). The sacramental character which is imprinted upon the soul by Baptism, Confirmation and Holy Order is described—in accordance with the Decree for the Armenians—as "a spiritual, indestructible sign", though its essential nature is not defined (can. A 9). The last four canons on sacramental doctrine in general, are concerned with the minister and the administration of the sacraments. Can. A 10 is aimed, in the most general terms, at the rejection of a consecrated priesthood: "Not all Christians are ministers of the sacraments." The minister's intention is not immaterial; he must have the intention of doing what the Church does (can. A 11). The

sacrament is realised even if the minister is not in a state of grace, so long as he carries out all the essential rites and pronounces the words required for the sacrament. Finally the teaching that the sacramental rites approved by the Catholic Church may be freely omitted, replaced by others, or scorned, is condemned as heretical (can. A 13).

With regard to baptism, the Decree for the Armenians had recognised as valid the somewhat divergent Greek formula of that sacrament and declared that lay persons, even pagans and heretics, could administer a valid baptism. It had also forbidden the imposition of a penance for sins committed previous to baptism. The fourteen Tridentine canons on baptism borrow scarcely anything from that decree, because their position is quite different—they are arrayed against the teaching of the reformers; they are opposed to Luther's assertion that the true meaning of baptism had been misunderstood and obscured by the Roman Church (can. B 3). On the basis of the decree on justification, can. B 6-10 reject the Lutheran notion of the efficacy of the *perpetuum sacramentum*, namely the notion that the baptismal grace cannot be lost, that sins committed after baptism are remitted by the renewal of the faith of one's baptism. They insist that at baptism we assume not only the obligation to believe, but also that of keeping God's commandments and of fulfilling the whole law of Christ. Another group of canons (11-13) is aimed at the Anabaptists whom Luther had likewise fought. They are followed by the above-mentioned anti-Erasman can. 14. The remaining canons embody traditional doctrines which it was necessary to enforce once more, for instance, can. 2 on the necessity of using water for baptism; can. 4 on the validity of baptism by heretics; can. 5 on the necessity of this sacrament for salvation.

With regard to Confirmation, the Decree for the Armenians laid down the form of its administration and declared the bishop to be its "ordinary minister". Since Luther had decried the sacramental nature of Confirmation, the Council found itself obliged to affirm in can. C 1 that it is "a true and genuine sacrament", not "an idle ceremony", nor, on account of its origin, a kind of profession of faith by adolescents. This canon combines the original theses C 1-3. The second canon was drawn from the additional theses; it condemned the assertion that it was doing an injury to the Holy Spirit to ascribe an effective virtue (*aliquam virtutem*) to the chrism used in Confirmation. The stipulation in the third canon, that the bishop is the ordinary minister of Confirmation,

was taken from the Decree for the Armenians; the additional clause "not any priest" allowed for exceptions to this rule.

No less instructive than the agreements and alterations, which a comparison of the Tridentine canons with the Decree for the Armenians brings to light, are the omissions. The Decree for the Armenians divided the seven sacraments into five individual and two community sacraments (Holy Order and Matrimony), and gave a brief description of the function of each sacrament in the life of the Church as a whole. The Tridentine canons dispense with such a widening of the field of vision. This deficiency, which we in our time may regret, is explained by what we now know to have been the Council's aim, namely not to explain in detail each particular doctrine, but to delimitate it. The canons on the sacraments cried aloud for integration in the inner life and the hierarchical structure of the Church. Within this context the septenary number of the sacraments and their objectivity would have been much more easily understood and the breadth and depth of the sacramental cosmos would have been revealed. We may regret the Council's reserve all the more as the golden age of scholasticism provided the elements for such considerations which, to give an example, were likewise suggested in the vote of the Bishop of Fiesole. In the end, however, it was no doubt an act of self-restraint when the Council restricted itself to meeting the need of the moment, that is, the delimitation of Catholic doctrine, content to leave its systematic development to the theologians of the future.

Another omission in the Tridentine decree is the scholastic distinction between the three elements of the sacrament which were to be found in the Decree for the Armenians—matter, form, minister. This restraint is likewise accounted for by the resolution which had been adopted from the beginning to forego any technical exposition of the doctrine of the sacraments as a whole; it may be explained, in particular, by the reluctance of the principle leader of the Council's labours, Cardinal Cervini, to embody in the dogmatic decisions more scholastic concepts than were absolutely indispensable. The canons rested on the theological foundations laid by scholasticism, but in themselves they were not scholasticism but definitions of things that must be believed; and this is what they were meant to be.

The conclusion of the debate on the sacraments in *Sessio VII* held on 3 March 1547, like its entire course, lacked the exciting moments which we witnessed in the formation period of most of the earlier decrees. The attendance at the Council, which during the debate



sometimes scarcely amounted to fifty prelates, rose again to nearly sixty-four, not counting the two German proctors and the seven superiors of Orders (two abbots and five generals of Orders) who took part in the Session.<sup>1</sup> Several bishops who after *Sessio* VI had returned to their dioceses or gone to Venice, without formal leave of the legates but with their silent consent, had returned to Trent in the last days of February, though only after the Curia, at the instigation of the legates, had brought pressure to bear on them, either directly or through the nuncio in Venice. They were the Bishops of Piacenza and Vercelli, Treviso and Narni, the Archbishop of Spalato and the Bishops of Torcelli and Salpi. The Bishop of Fano, who had left Trent in mid-January to stay with Cardinal Gonzaga at Mantua, was commissioned at this very time to promote the marriage of Vittoria Farnese, Alessandro's sister, with the recently widowed Duke of Urbino. He returned to Trent in time to put the finishing touches to the canons on the sacraments. "Un bel choro di prelati" (a splendid company of prelates) was assembled, to quote the terms in which the legates expressed their satisfaction in a letter to Giovanni della Casa.

<sup>1</sup> Number of those present at the Council from January to March 1547: on 22 January the legates report that a number of prelates had asked for permission to leave, but that they had refused; then they add, *C.T.*, VOL. X, p. 798, l. 18: "chiudemo gli ochi che alcuni, quali mostrano gran necessita di partirsi, possino havere habilita per 20 o 25 giorni." Those who left hoped to get in Rome the formal permission refused them at Trent. The legates accordingly insisted that they needed the greatest possible number of adherents not only in the Session but likewise in the previous discussions, *ibid.*, p. 804, l. 8. Pacheco estimated the number of those who had left as between 10 and 12, VOL. XI, p. 97, l. 8. Farnese accordingly instructed the nuncio in Venice to get those who resided at Venice and at Padua to return to Trent and included in his letter blank forms for the use of the nuncio, VOL. X, p. 807, n. 5. On 12 February Giovanni della Casa reported that he had forwarded the warning letters; that the Bishops of Spalato and Torcelli would be at the Session; Salpi would gladly return but was so poor that "non ha da viver in verita". He had not pressed the Bishop of Chioggia because "non mi pare che sia ben visto la a Trento", Bibl. Ricci I, fol. 316<sup>r</sup> or. A month later the nuncio reports that the relatives of the Bishop of Torcelli had begged him to allow the latter to leave Trent because otherwise he would surely fall sick once more.—The Bishop of Fano's journey to Mantua, *C.T.*, VOL. X, pp. 801, l. 28; 806, l. 31. Soon after his return Cervini, on instructions from Farnese, discussed with him the project of the marriage of Vittoria Farnese with the Duke of Urbino, *ibid.*, p. 824.—At the Session the legates, *C.T.*, VOL. X, p. 832, l. 2, counted 70 votes in all, that is, votes cast; in this they agree with Massarelli, *C.T.*, VOL. I, p. 611, l. 17, and the acts, VOL. V, pp. 1005 f., but differ from him as to the number of bishops (51 instead of 52, as the acts show); Severoli even numbers 53 bishops, *C.T.*, VOL. I, pp. 136 f.; so does Pacheco, VOL. XI, p. 109, l. 27. However, the latter is inaccurate in another respect also for he counts 10 archbishops (instead of 9) and 4 (instead of 5) generals of Orders. Of the bishops who had taken part in *Sessio* VI those of Capaccio and San Marco were absent through illness, but there were seven new arrivals, viz. the Bishops of Piacenza, Tivoli, Alba, Vercelli, Treviso, Caorli and Narni.

The course of the *Sessio*<sup>1</sup> was in accordance with the customary liturgical ritual. The Mass of the Holy Ghost was sung by the Venetian Jacobus Caucus (Coco), Archbishop of Corfu.<sup>2</sup> The sermon had to be omitted because the preacher, Bishop Martirano of San Marco, was suffering from a sore throat. For the gospel of the Mass the pericope recounting Nicodemus's interview with Our Lord had been chosen, no doubt in view of the canons on baptism in which John III, 5, is quoted. Tommaso Stella, Bishop of Salpi, read the two decrees on the sacraments

<sup>1</sup> The acts of *Sessio* VII of 3 March 1547 (including the sermon of the Bishop of San Marco which was not delivered) in *C.T.*, VOL. V, pp. 994-1007; Severoli's *Diarium*, *C.T.*, VOL. I, pp. 136, f. Change of tone in the sermon of the Bishop of San Marco, VOL. V, p. 1001, l. 31; on 3 March Archinto for his part writes that the affairs of the Council were "per gratia de Dio reducte nel meglor termine che sia possibile a desiderare", VOL. X, p. 832, n. 4. The legates' report of 3 March is pitched in the same optimistic key, *ibid.*, pp. 832 f. The absence of the French envoys does not worry them since the French bishops, except the Archbishop of Aix who was sick, had been present. For all that Pacheco's report, VOL. XI, p. 109, l. 25, shows that they were actually concerned about it ("muestran sentillo mucho"); the three imperial crown jurists Vargas, Velasco and Quintana had also stayed away. The legates express their satisfaction at the "bel choro di prelati" in their letter of 3 March to Della Casa, Bibl. Ricci 4, fol. 125<sup>r</sup>, or. Luciano degli Ottoni also describes the Session as "molto più quieta de l'altra", *C.T.*, VOL. X, p. 881, l. 16.—Of a renewal of the declaration of contumacy passed in *Sessio* VI there was no longer question, as Pacheco states in his report to the Emperor, *C.T.*, VOL. XI, p. 109, l. 15. That declaration had caused the Emperor to justify his attitude with regard to the attendance of the Spanish bishops at the Council, *ibid.*, pp. 100 f.: they were instructed to keep themselves in readiness to set out as soon as ordered by their sovereign, but until further order they were to remain in their dioceses in the interest of religious and political security. Pacheco interpreted the omission of the renewal of the declaration of contumacy as confirming his opinion that the legates were not at all concerned to increase the number of Spanish bishops and that the Curia did not even urge the fifteen to twenty Italian bishops at Padua and Venice to attend the Council, *ibid.*, p. 103, l. 15. The first part was true but not the second, as we have seen. The committee of three, which had been formed previous to *Sessio* VI for the purpose of examining the excuses of the absentees, had not met up to 17 February, *ibid.*, p. 104, l. 27. One of its members, the Bishop of Astorga, gives the reason: the Archbishop of Aix, the senior of the three, was not concerned to push the matter because the King of France did not wish to add to the number of French prelates at Trent, *ibid.*, p. 110, l. 15.

<sup>2</sup> The celebrant of *Sessio* VII, Jacobus Caucus (Coco), Archbishop of Corfu, 1528-60, came of a Venetian family. He had been at Trent as early as 1543, *C.T.*, VOL. I, p. 419, l. 3, but had fallen sick while there. He was nevertheless one of the first arrivals after the second convocation, 5 May 1545, *ibid.*, p. 184, l. 15, but left again on 17 June, *ibid.*, p. 206, l. 17, and lay sick at Verona for a considerable time, *ibid.*, pp. 211, l. 26; 232, l. 12, and from there returned to Venice. He only reappeared at Trent at the beginning of April 1546, VOL. X, p. 445, l. 5; from that time he took part in all the Sessions. Caucus was regarded as a "buon servitore di S. Sta", *ibid.*, p. 764, l. 23. In the autumn the legates endeavoured to get the see of Ceneda for him when it became vacant through the death of Cardinal Grimani, but they failed, *ibid.*, pp. 687, l. 21; 795, n. 6. Caucus had not a few brushes with the imperialists, VOL. II, p. 386; VOL. I, p. 594, l. 20; among his friends he counted Ottaviano Raverta, Bishop of Terracina and Jerome Angleria, VOL. X, p. 691, n. 1.

and on Church reform. The former was accepted unanimously (the Bishops of Fiesole and Calahorra alone complained of the omission of the title of the Council—*universalem ecclesiam repraesentans*); as for the second, thirteen prelates made additions to their *placet*, eleven of which qualified their assent. The Bishops of Sinigaglia and Fiesole protested against any possible curtailment of episcopal prerogatives. By means of the formula *placent canones*, the Bishops of Bosa, Lanciano and Castellamare signified that they did not approve of the introductory formula, namely the preface of the decree on reform. The tenor of the votes handed in in writing by the four Spaniards, the Bishops of Badajoz, Astorga, Calahorra and Huesca, was indicated by the vote of the last-named: the decree must be formulated more strictly and effectively and without prejudice to the authority of the bishops. It is clear that the adherents of a strict reform remained true to themselves up to the last. The curialists took care, this time, not to repeat the unfortunate experiment of *Sessio VI* by handing in votes expressing opposition. This made it possible to declare both decrees to have been accepted and to promulgate them.

An analysis of the list of those present reveals the remarkable fact that not a single conciliar envoy had assisted at the Session, not even the French envoys, though they actually resided at Trent. However, their absence did not bear the character of a silent protest, for which in fact there was no ground. They themselves accounted for it by the absence of the imperial ambassadors; but in reality it was but the continuation of France's conciliar policy which remained as inscrutable as ever. Nothing whatsoever occurred during the whole Session that would have enabled anyone to foresee, or even merely to suspect, the nearness of catastrophe. The Council had carried out the programme laid down for it and the Session had been held at the time fixed. Never before had the legates and the conciliar experts collaborated more harmoniously than as of late. Even in the imperial camp there was no dissatisfaction with the results so far achieved. To confirm this impression one need only read the sermon of the Bishop of San Marco. It was not actually delivered but the manuscript has been preserved.

At the beginning of the Council, in *Sessio II*, Coriolano Martirano had given expression to the then prevailing state of mind in the sermon he delivered on that occasion. It had been an impressive self-accusation and an acknowledgment of guilt, and was instinct with anxiety for the fate of the Church (cf. CH. I). The sermon at *Sessio VII* was pitched in a very different key. Here we read with astonishment: "Everything is

different!" The preacher's aim is no longer to foster repentance; he is a herald of joy and confidence. Martirano is obviously satisfied with what has been achieved and looks confidently to the future. To most of its members a happy conclusion of the Council appeared to be palpably near. Once the Council ended, and certainty and clarity in matters of faith established, a start could be made with the practical work of building up in accordance with the norms laid down in the reform decrees. All the prognostics were favourable—and yet, catastrophe actually stood at the door.

## The Translation to Bologna

UP to the point we have now reached in the history of the Council of Trent we have seen two parallel threads running through it; the one spun by that assembly in its determination to fulfil the tasks set by the Bull of Convocation, namely to issue authoritative decisions on the dogmatic controversies and to restore ecclesiastical discipline. This pervading determination was the result of the authoritative guidance of the legates and of the attitude to their task adopted by the participants entitled to a vote, though neither legates nor conciliar Fathers could escape the influence of the political factor which spun the second thread. They were unable to free themselves from this influence precisely because the Council was not a purely ecclesiastical event but at the same time formed part of a vast political plan of which the main lines, but not all the details, had been laid down in the treaty of alliance between Pope and Emperor in the summer of 1545. As the Emperor saw it, the object of the war against Schmalkalden was to make it impossible for the League to act as the executive of the opposition of the Estates in matters of religion and to break its resistance to the papal Council, so as to make it possible for that gathering to draw up new, binding regulations in the religious and ecclesiastical sphere, the execution of which would then be undertaken by the secular arm. The Pope, on the other hand, viewed the war solely as a religious war fought for the purpose of overthrowing the "dissidents". It was with this end in view that he had supplied troops and money. To increase the Emperor's power, to make of him the absolute master of the Empire, was not his intention. From the very beginning he had been haunted by a suspicion that the Emperor would take advantage of his assistance to realise the aims of his power-politics, and having done so, would come to an understanding with the Protestants. He had concluded the alliance for a fixed period and for a definite purpose, but he was by no means inclined to reinforce the menacing citadel of the Habsburg world-power by means of new substructures and outworks which would render it impregnable. Before his eyes rose the threatening vision of a

universal monarchy, of an extent in space and an internal fullness of power such as had never even remotely come within reach of the Salian Emperors or those of the house of Hohenstaufen. If he were to be territorially enclosed within such a monarchy the Pope would sink to the role of the Emperor's chaplain. The vision was a terrifying one—and never more terrifying than when the head of this world-wide empire could be compared with the Salian Henry III by reason of his keenness on Church reform. Would not a new struggle between *sacerdotium* and *imperium* become unavoidable, one that would have to be fought out in far more unfavourable conditions than those that obtained in the earlier Middle Ages?

Thoughts and fears of this kind were bound to weigh all the more heavily on the Pontiff as the fortune of war had veered round in favour of the Emperor and everything pointed to his forthcoming victory over an enemy who, at the beginning of the struggle, had been militarily superior to him. On 21 November 1546, empty coffers forced the army of Schmalkalden to retreat northwards and split into isolated contingents. The smaller imperial cities, such as Rothenburg, Dinkelsbühl and Nördlingen, surrendered one after another. On 22 December, the envoys of the city of Ulm asked for pardon on their knees; they were followed by those of Frankfurt, and 29 January 1547 saw the arrival at Ulm of the representatives of the council and city of Augsburg, led by Anton Fugger, for the purpose of making their submission to the Emperor. Their spokesman, Peutingier, confessed that "they had been in part misled and in part had erred through ignorance". Strasbourg did its utmost to obtain help from France and the Swiss confederation, but finally saw itself forced to bend the knee before the Emperor at Nördlingen on 21 March. The Count Palatine Frederick had made his peace with the monarch as early as 19 December; at the beginning of January Duke Ulrich of Württemberg made his submission and concluded a hard and humiliating treaty by which he bound himself to share in the fight against his former allies. The Emperor was master in South Germany.<sup>1</sup> Did this mean that the war was virtually at an end?

<sup>1</sup> The conclusion of the war in South Germany and the defeat of the Protestants there is the subject of numerous reports of Verallo, *N.B.I.*, VOL. IX, pp. 379 f. (5 December); 392 ff. (17 December); 406 ff. (25 December); 425 ff. (26 January 1547); for Augsburg see the detailed account by F. Roth, *Augsburgs Reformationsgeschichte*, VOL. III (Munich 1907), pp. 440-82; the report of the envoys of Strasbourg on their submission, *Pol. Corr. Strasburg*, VOL. IV, PT I, pp. 662 ff.; cf. also Janssen, *Geschichte des deutschen Volkes*, VOL. III, pp. 729 ff.; Brandi, *Kaiser Karl V.*, pp. 480 ff. (Eng. edn., pp. 558 ff.).

Charles V's answer to this question was in the negative: he was perfectly right. The military strength of the two heads of the League of Schmalkalden, the Landgrave Philip of Hesse and the Elector John Frederick of Saxony was unbroken. On his return, the latter succeeded in expelling Duke Maurice of Saxony, an ally of the Emperor, who had invaded the Elector's territory, and in occupying nearly the whole of the duchy. On 2 March, he defeated Margrave Albrecht of Brandenburg-Kulmbach, also an ally of the Emperor, near Rochlitz, in fact he even established contact with anti-Habsburg circles in Bohemia. Lastly, North Germany, by this time almost wholly Protestant, was still undefeated. The political aim of the war could not be attained so long as the strongest opponents had not been overthrown; to negotiate with them at this stage would be to run the risk of prolonging the war, and was likely to provoke the intervention of France which was in constant contact with Schmalkalden. For the Emperor there was no choice of means for the attainment of his war aims. He could only achieve complete victory and destroy the opposition of Schmalkalden—that State within the State—by mobilising all available forces. Then only would it be possible to solve the religious problem—and this in conjunction with the Council assembled at Trent.

In the Pope's view things looked quite different. He was of opinion that the Emperor had proved the stronger and from this position of strength could successfully negotiate with his opponents. By the terms of their alliance the monarch was bound to admit the Pontiff to the peace negotiations. It was evident that in the present situation the Pope's voice would carry far greater weight than if the Emperor were in a position to dictate peace after total victory. If such a victory were achieved it would be highly questionable whether the Pope would be able to pursue an independent policy at all. In that eventuality the Council itself would be degraded to the role of a tool of the imperial policy, not to say a thumb-screw with which another's will would be forced on the Pope, always, however, on condition that the assembly continued in session at Trent, that is, within the Emperor's sphere of influence.

But, it may be asked, would not a total victory of the Emperor over the men of Schmalkalden, and the overthrow of the Protestants, have brought about the restoration of unity in the Church? The ecclesiastical organisation of Protestantism within the Empire was the work of the territorial princes and the imperial cities. If they were compelled to submit to the Council, and to restore the authority of the bishops

within their territories, Protestantism would sink to the level of a mere sect. Was it not, therefore, in the interest of the Church that the Pope should continue to assist the Emperor's war effort and in accordance with the latter's wishes keep the Council going at Trent until the end of the war, as had been foreseen in the great plan of 1545?

To ask this question is to pose the whole problem of papal and imperial policy in the year of decision 1547. But since its thread is of necessity so closely intertwined with the thread of the conciliar proceedings that for a long time one seems to see only one thread, the question is also the question of the fate of the Council. To arrive at an historically tenable judgment we must analyse the political forces of the great Powers and the motives of their statesmen—always with an eye on the Council. The war of Schmalkalden and the Council of Trent were concerns of European politics in which even the western Powers could not disinterest themselves. Their rulers, Francis I of France and Henry VIII of England, had at one time done everything in their power to prevent the realisation of the Council but the former had ended, however grudgingly, by participating in it while the latter continued, at least outwardly, to reject it decisively. Now, in the spring of 1547, both died. All these events worked together to impart a new impetus to the play of political forces.

By the Peace of Crépy the Emperor guarded his great plan against France; England, his ally, continued the war against France and Scotland and only ended the French campaign by the treaty of Ardres on 7 June 1546.<sup>1</sup> Soon after the conclusion of peace Henry VIII showed

<sup>1</sup> Information about Henry VIII's attitude to the Council since the summer of 1546 and Gurone Bertano's mission is found in the despatches of the French ambassador in London, Odet de Selve, dated 4 July and 4 August 1546, in Lefèvre-Pontalis, *Correspondence politique d'Odet de Selve, Ambassadeur de France en Angleterre 1546-1549* (Paris 1888); see also the report of the imperial ambassador in London, Van der Delft, to Maria of Hungary, 6 July, *Letters and Papers*, VOL. XXI, PT i, no. 1287; XXI, PT ii, no. 203. Henry VIII's negotiations with Schmalkalden in the summer of 1546 according to the instructions for Niedbruck ("Hans von Metz"), in *Pol. Corr. Strasburg*, VOL. IV, PT i, pp. 216 ff.; his final report, pp. 399 f.; cf. also *Letters and Papers* VOL. XXI, PT i, no. 1526; the plan for a defensive league with Schmalkalden, *Pol. Corr. Strasburg*, VOL. IV, PT i, p. 416, n. 4. Nuncio Dandino's reports of 4 and 15 August, 16 and 23 September 1546 are also very important, Vat. Arch. AA I-xviii, 6532, fols. 99<sup>r</sup>, 103<sup>r</sup>, 107<sup>r</sup>, 111<sup>r</sup>. Dandino summed up the result (fol. 118<sup>r</sup>) by saying that in consideration of France's intervention Henry VIII was prepared to "mandare alcuni de' suoi letterati in Francia et in Avignone particolarmente, quando tutti li altri principi della Christianità vi mandino loro deputati, et che quelli che S. Sta vi mandera, non si habbino da riconoscere senon per homini mandati dal vescovo di Roma, et che questo non habbia da haver nome di Concilio, ma piuttosto di colloquio tra deputati". On 1 January 1547 Pacheco succeeded in bringing about a discussion of an eventual



his interest in the course of the Council when he asked the French ambassador, Odet de Selve, what was France's attitude to the Tridentine gathering. The answer—on the whole an accurate one—was that only a few French prelates were at Trent and that the main task of the envoys was to report and to defend the interests of the king. A little later Henry VIII announced his readiness to submit to a Council, provided it was convoked by all Christian princes and, if possible, held on French soil. This was only a carefully calculated ruse designed to play on the French mentality, not a true change of heart with regard to the Council. What Henry VIII evidently had in mind was a diet of the deputies of Christian princes, which would never materialise and from which he would have nothing to fear. The Council of Trent, convoked by the Pope, he rejected as before. As late as July 1546 the papal agent Gurone Bertano, a brother of the Bishop of Fano, succeeded, with French assistance, in getting access to the English court and being received by the king—but nothing came of it. Again it was only a gesture for the benefit of France to allow the Italian Francesco Bernardi, a nephew of the Bishop of Verona, to establish unofficial contact with the papal nuncio in France. The result of this contact also was exiguous: once again Henry declared his readiness to send representatives to a *colloquium* in France, or at any rate, in papal Avignon, but at which the Pope's representatives would only be permitted to appear as representatives of "the Bishop of Rome". To the day of his death Henry VIII maintained his absolute rejection of the Council of Trent.

At the diet of the confederation of Schmalkalden held at Ulm in October 1546, a plan for a great defence-league jointly with England, against the Emperor and the Council of Trent, came up for discussion. Both parties were to state their readiness for "a free Christian Council", which now, as so often before, was opposed to that of Trent. But this plan also was never given effect.

Three months later, on 28 January 1547, Henry VIII died. The

"dechiaratione" by the Council concerning England, which would not have meant an invitation to Henry VIII but rather a definition of the Council's attitude towards him, *C.T.*, VOL. x, pp. 776 f. For the development of doctrine in the Anglican Church see P. Hughes, *The Reformation in England*, VOL. I (London 1950), pp. 366 ff.; VOL. II (London 1954), pp. 46 ff.; for Somerset, *ibid.*, pp. 79 ff. On 1 March 1547 Dandino wrote to Cervini that up to this time "non si è veduto ne segno ne speranza di buono del nuovo Re", *C.T.*, VOL. x, p. 830, l. 22. The seriousness of the Curia's plans for England's return is also attested by the *Discorso sopra le cose d'Inghilterra* which was handed to Sfondrato. It is printed in A. von Druffel, "Die Sendung des Cardinals Sfondrato an den Hof Karls V 1547/8", *Abhandlungen der hist. Classe der kgl. bayr. Akad. der Wiss.*, VOL. XX, PT I (Munich 1892), pp. 360 ff.

Paris nuncio, Dandino, informed Rome at once through a courier, at the cost of over a hundred scudi. Was there a prospect of England returning to the Roman obedience and, perhaps, of her being represented at the Council of Trent? For in England the difference in doctrine and discipline was not yet as wide as it was with the German Protestants. In the "Six Articles" of 1539, the Church of England had drawn near to Catholic dogma on several points, as for instance on the doctrine of transubstantiation. The "King's Book" of 1543, it is true, included together with "a profession of faith in the Holy Catholic Church", also a sharp rejection of papal authority. However, was not this rejection due to highly personal circumstances? Henry VIII's death seemed to bring reunion within the range of possibility. On 3 March 1547, the Pope addressed a brief to the English Parliament, urging them to return to the ancient Church.

It was a hopeless appeal. The Duke of Somerset, who headed the council of regency for the barely ten-year-old Edward VI, refused to countenance any kind of contact and, with Cranmer's assistance, pushed forward the protestantising of the Church of England. Dandino, who as nuncio in France was carefully watching events in England, judged the situation aright when on 1 March he ruled out the possibility of a direct intervention in England. He requested the two most influential statesmen at the French court, Cardinal Tournon and Admiral d'Annebaut, to use their influence for the recovery of England. They promised everything, but did nothing when they found that there was no political advantage to be got from it. There was even a service for Henry VIII at Notre Dame, at which three French Crown cardinals were present! The Pope's plan to establish direct contact with England through a legate had to be abandoned.

France, not England, was the motive power in the play of the European political forces during the winter of 1546-47.<sup>1</sup> French

<sup>1</sup> The information on events at the French court I take in the first instance from Dandino's reports of 26 November 1546 to 26 March 1547 already mentioned in the preceding note, Vat. Arch. AA 1-xviii, 6532, fols. 130<sup>r</sup>-176<sup>r</sup>. Dandino had excellent contacts at court and was a convinced advocate of papal policy in the direction of France; he favoured the refusal of further subsidies to the Emperor ("assolversi da ogni sussidio") and support of French wishes after the conclusion of a definitive peace ("strengerlo alla pace"); on 22 December, in a letter to Cervini, he goes so far as to describe an "honesto appuntamento" with the German Protestants as desirable, *C.T.*, VOL. X, p. 768, l. 16. He reports on 22 March, Vat. Arch. AA 1-xvii, 6532, fol. 163<sup>r</sup>, on the reception of the peace legations at the French court.—The negotiations with Schmalkalden in *Pol. Corr. Strasburg*, VOL. IV, PT I, pp. 490 f., 516 f., 544 f., 553 f., 574 f.; on 6 March Dandino claimed to have knowledge that French money had been passed on to Saxony, Hesse and Strasbourg via Switzerland, Vat. Arch. AA 1-xviii,

diplomacy started from the fact that the dynastic agreements of Crépy, namely the transfer of the Netherlands or Milan to the Duke of Orleans on his marriage to a Habsburg princess, had become impossible since the Duke's death. France wanted a new settlement which the Emperor refused to consider so long as the French remained in occupation of Piedmont. In the fulfilment of the secret clauses of the Peace of Crépy, France restricted herself to a minimum. Odet de Selve had exaggerated nothing: the three bishops whom the French king maintained at Trent could at best only be regarded as observers but not as an adequate representation of the French episcopate. There had been frequent talk of a stronger representation, but nothing was ever done. The three French conciliar envoys frequently absented themselves from the city of the Council; of late they had not even attended the Sessions. The Church and realm of France were not absent from Trent, but neither were they really present.

A similar chiaroscuro characterised France's relations with the League of Schmalkalden. Up to the autumn Francis I had given no direct military or financial assistance to his political friends. As their position worsened and their financial needs in particular became ever more pressing, he had made an offer to the Elector of Saxony, through two envoys despatched towards the end of November, of a loan of 200,000 florins against a guarantee to be given by one of the great cities of the Empire, on condition that he continued the war. The envoys of Schmalkalden who presented themselves before him in the last days of December were assured that their cause was a most honourable one (*honestissima*). But the fresh offer, on easier terms, which he intended to make to the Elector through Johann Sturm of Strasbourg, came too late—Sturm found that communications with Saxony had already been cut. The confederates were therefore left to themselves, though rumours of an impending intervention by France had been circulating since the autumn. These rumours had been occasioned by the arrival in the Landgrave's camp of the Florentine refugee Pietro Strozzi, especially as he left almost immediately for Venice, where some Protestant agents were staying at the time. The report of a forthcoming anti-imperial combination, into which Venice was also to be drawn, was deliberately spread by the imperial side with a view to justifying the

6532, fol. 155. Information on French military preparations against the Emperor in Druffel, *Beiträge*, vol. 1, pp. 34 ff., 39 ff. On 20 February 1547 Francis I instructed Mortier, the ambassador in Rome, to warn the Pope against the imperialistic designs of the Emperor ("Seigneur universel du monde"), Ribier, *Lettres et Mémoires*, vol. 1, pp. 610 f.

Emperor's reserve in regard to French wishes for negotiations. Charles V would only treat with France after the conclusion of the war. The French were anxious to draw him into negotiations while his hands were not free, and they sought to give point to their demand by active military preparations. They also had recourse to every diplomatic trick in order to secure the Pope's support for their "peace-action", but above all in order to keep him from extending his military alliance with the Emperor. Their best ally was the extremely able nuncio, Dandino. Already in the last days of November, Dandino had alarmed the Curia by reports of guarantees which the Emperor was alleged to have given to the Protestant cities of the Empire—as if the nuncio at the imperial court would not have had first-hand information at his disposal. Dandino issued an urgent warning against an extension of the subsidies and increased the existing distrust of the Emperor's further plans with regard to the Council. In Rome these warnings fell on fruitful soil.

The Pope had given vigorous support, first through the legate Farnese and then through Nuncio Verallo, to the French demand that the stipulations of Crépy, which had not been carried out, should be replaced by a fresh definitive peace-treaty; in fact he even hinted that he might make the prolongation of the military alliance dependent on the fulfilment of that demand. It was no less opportune for French diplomacy that on secondary questions of an ecclesiastico-political kind the Emperor showed but little readiness to meet the Pope's wishes and that he remained exceedingly cold, not to say unfavourable, in regard to the Farnese family politics. The Pope's irritation at this "ingratitude" of his confederate contributed for its part to turn him against the Emperor even in matters of high politics and to drive him once more towards France, with whose interests his own were running more and more in parallel. His decision to despatch peace legates to the Emperor and to the king in the spring was soon recognised at the French court, after some initial hesitation, for what it was—a move to temporise with the Emperor and to avoid committing himself with him anew. Dandino informed the Pope that the legates would be received in France with every mark of honour. French diplomacy let slip no opportunity—either in Paris or in Rome—of drawing the Pope away from the Emperor and attracting him to the side of France.

On the other hand, at the imperial court feeling towards the Pope deteriorated week by week.<sup>1</sup> There was dissatisfaction with the conduct

<sup>1</sup> The dissatisfaction of the Emperor and his minister Granvella with the Pope's policy is best illustrated by Verallo's reports on his encounters with Granvella on

of the papal expeditionary corps and it was even thought that there was every reason for complaining of the Pope's lack of readiness to help. At the end of January, the military alliance expired. With a view to promoting its prolongation and securing further financial concessions, the Emperor, as early as October 1546, despatched Juan de Mendoza, Don Diego's brother, to Rome as ambassador extraordinary. Juan reached Rome on 13 November, but was kept waiting for nearly a month, pending Farnese's return from his German legation; but even after his return the negotiations made no progress. In order to bring pressure to bear upon the Pope, the Emperor did not receive Nuncio Verallo in audience for nearly two months and kept him out of all the negotiations with the Protestant Estates that were making their submission. Friction followed friction. When on 12 November, at Lauingen, Verallo

12 November and 16 December, *N.B.I.*, VOL. IX, pp. 341, 395, and the report from Heilbronn on 25 December, *ibid.*, p. 408. Gurone Bertano had left Trent on 11 January, *C.T.*, VOL. X, p. 785, *n.* 1, but was delayed for over a week by his accident at Sterzing, *ibid.*, p. 789, *n.* 3. Farnese's order, *ibid.*, p. 799, that the Bishop of Fano should take his place was not carried out because the latter had already left Trent. On 27 January Gurone had an audience with Granvella together with Verallo and on the following day with the Emperor, *N.B.I.*, VOL. IX, pp. 429-40; the report on the final audience on 7 February, *ibid.*, pp. 462-9. On 19 February Gurone Bertano passed through Trent on his return journey to Rome, *C.T.*, VOL. X, p. 823, l. 25. The instructions of 11 February for Diego de Mendoza give us an idea of the imperial conception of his mission, *see* W. Maurenbrecher, *Karl V und die deutschen Protestanten* (Düsseldorf 1865), pp. 86\*-99\*. The report on Verallo's "bella audientia" on 2 February is in *N.B.I.*, VOL. IX, pp. 442-51; the Emperor's instructions for Juan de Mendoza, 28 October, *ibid.*, pp. 611-22. The Pope's answer, which was by word of mouth, must be gathered from the instructions of 5 February for Verallo, *ibid.*, pp. 451-61. Francisco de Toledo's mission is treated in detail by G. Buschbell, "Francisco de Toledo und seine Tätigkeit in kaiserlichen Diensten während des ersten Abschnittes des Konzils von Trient", *H.Ź.*, LII (1932), pp. 356-88—especially pp. 373 ff. Madruzzo's agent in Rome, Aurelio Cattaneo, who naturally watched Toledo's negotiations with the closest attention, declared, *C.T.*, VOL. X, p. 879, l. 19, that the latter treated "ne di concilio ne di legatione" but only of financial assistance. "Worse than brigands", Gianbattista Cervini wrote on 2 February, *ibid.*, pp. 925 f., "the two imperial diplomats have fallen upon the Pope, but "Papa Paolo—Dio ci'l preservi—zingaro vechio, s'attaccò alla cordella della pace et fecella fori a tutti i nodi imperiali". Buschbell (*op. cit.*, p. 380, *n.* 137) has rightly refuted Friedensburg's allegation that the imperial envoys had been betrayed into personal threats against the Pope. Cardinal Otto of Augsburg's anxiety on account of the estrangement between Pope and Emperor appears in a letter to Farnese, *N.B.I.*, VOL. IX, p. 449, *n.* 1. In his conversation with Savelli, the papal general of cavalry (*see* the latter's account, *ibid.*, p. 481, *n.* 1), Madruzzo gave a very superficial explanation of the *existing* tension when he traced it back to the fact that Nuncio Verallo did not enjoy the Emperor's favour and that a legate should have been despatched to the imperial court—himself, of course. The Emperor's confessor, Pedro Soto, saw much further when, at the end of February, he besought Verallo "che S.Sta si accomodasse a non abbandonare per adesso di aiutare S.Mta in questo tempo ch'è più bisogno che mai per l'impresa", *ibid.*, p. 483.—Among the numerous accounts of the imperial policy at this time the most complete is still that of W. Friedensburg in the introduction to *N.B.I.*, VOL. IX, pp. xxxv-liii.

represented to the elder Granvella that after the Pope had done so much for the Emperor, the latter should meet him to some extent in other controversial matters ("dar' qualche consolatione"), the minister exclaimed: "What! meet him? We shall get our troops to fire a salvo before him and our trumpeters to sound a blast." Without allowing himself to be intimidated by these threats, the nuncio enumerated the many questions still in dispute between Pope and Emperor, with the only result that Granvella ended the interview with yet another threat: "If the Pope refuses to make a serious and more weighty ("davero et meglio") contribution to the war-effort, we shall be compelled to protect our interests by other means."

Granvella's threats sounded like a complete justification of the Pope's fears that the Emperor harboured some dark design. When a month later, on 16 December, Verallo had another interview with Granvella at Schwäbisch Hall, the latter's first words were: "If Mendoza is kept waiting any longer the Emperor will be compelled to safeguard his interests by other means." On the question of peace with France, he gave the nuncio no chance to utter a word. On 25 December Verallo summed up his impressions in these terms: "The Emperor orders affairs in Germany as he thinks best, without informing me, in fact he never says a word about religion. It may be that he intends first to settle the affairs of the State and after that those of the Church. We shall have to wait and watch for developments. The fact is that up to this time I have not succeeded in obtaining an audience with the Emperor in order to communicate to him the instructions of Your Holiness in regard to peace and other matters."

Gurone Bertano, who was despatched to the imperial court in January 1547 to further the peace likewise got no hearing. The Emperor and his minister acknowledged, of course, in principle, the Pope's mission of peace ("l'uffitio . . . di poner pace et concordia tra principi"); but they declared that after the fruitless conferences of Bruges and Antwerp there was not much to hope for from the fresh meeting of ministers proposed by Gurone. The chief obstacle was the refusal of the French to surrender their pawn, Piedmont, as a first move. All the same, Gurone had been treated in a friendly and courteous manner. But when a few days later, on 2 February 1547, Verallo handed to the Emperor the papal brief of 22 January, which announced the expiration of the alliance, the monarch gave vent to his resentment and broke out in vehement complaints of Paul III, his person and his politics. In a sarcastic tone, he expressed his satisfaction that the papal troops, who

by their plunderings and deeds of violence had only caused him shame and injury, were at last disappearing from the theatre of war. The reasons alleged by the Pope for the denunciation of the treaty were mere pretexts ("frascarie"). Then full of anger and in terms of offensive ambiguity he went on: "The Pope is suffering from his old disease, the French sickness; he only made me plunge into this enterprise for the purpose of destroying me; but things have turned out otherwise than he expected. This is not the conduct of a good shepherd, of a man of honour! The Pope's only concern is the exaltation of the house of Farnese, not that of acting as a shepherd and a father. Far better than he, I know what is to be done for the good of religion—and I shall tell him so to his face!" After this angry outburst, the Emperor left the room without taking his farewell of Verallo and went to hear Mass. "A beautiful audience", was the sad reflection of the nuncio who was quite blameless in the whole affair.

The Emperor had not only rudely offended against diplomatic usage, his accusations against the Pope were, at least in part, without foundation, unjust and highly offensive. It was foolish on his part to assert that the military alliance was no more than a trap devised by the French and set by the Pope for the purpose of undoing the Emperor; and how profoundly hurt the Pontiff must have felt when he read the offensive remark about his own person in the nuncio's despatch!

On the following day, Granvella sought to soften the effect of his sovereign's grievous lapse and to smooth the angry waves, but he refused to give credence to Verallo's assurance that the Pope was neither "French" nor "Imperial" and he rejected as unjustified the reproach of ingratitude for the military assistance rendered by the Pontiff. In the opinion of the nuncio, those chiefly to blame for the catastrophe were the Emperor's representatives in Rome: it was their reports that had thus roused the monarch. However, he was not blind to the fact which could scarcely be denied, that the papal policy was undergoing a change. The change was a disappointment not only for the Emperor but likewise for leading Catholics in Germany, as, for instance, Cardinal Otto of Augsburg: "All the hopes of the Catholic princes", the latter wrote to Farnese in the first days of February, "rest not only on His Holiness continuing this enterprise in conjunction with the Emperor, but even on his doing his utmost alone, should the latter fail him, so as not to leave unsolved a task fraught with such weighty consequences." Verallo, filled as he was with anxiety, added with his own hand the following

postscript to his despatch on 2 February: "Much ill-feeling prevails here against all Romans."

Although the Emperor spoke in milder tones at Gurone's farewell audience, his anger against the Pope flared up once more when in the course of February his last hopes faded away, his hopes for the Pope's authorisation of the appropriation of Church property for the continuation of the war. His original plan had been for a large-scale alienation, with the Pope's permission, of ecclesiastical freehold estates against future compensation to the owners; but he had given up the idea because the College of Cardinals opposed so far-reaching a concession. At a later date he had the idea of securing the necessary means for the pursuit of the war by the sale of one half of the treasures of the churches in his hereditary territories and by appropriating one half of the annual revenues of cathedrals and other churches. By the papal side the yield of such a transaction was estimated to amount to considerably over one million, perhaps even two million ducats, but the imperial side reckoned that it would only yield 900,000 ducats. This plan required the Pope's approval. In order to obtain it, the Emperor had despatched to Rome as extraordinary ambassador, the second conciliar envoy, Francisco de Toledo, as early as the month of December. Owing to the fact that Toledo had to carry out several commissions at Florence in connection with the financing of the war, he only reached Rome in the second half of January 1547, at a time when the denunciation of the alliance had already been decided. While waiting for fresh instructions from the Emperor he refrained from seeking an audience of the Pope, and only on 7 February, when these had arrived, did he start negotiations in which he was supported by the ordinary ambassador Juan de Vega. The Pope was prepared to grant permission for the appropriation of a definite sum—400,000 ducats at most—but refused to grant a general concession whose financial yield was not determined. Even in two further audiences, on 19 and 27 February, Toledo failed to obtain the Pope's consent even though his proposal had been very cautiously supported by Farnese and even more decisively by the Cardinals of Burgos and Coria, Juan Álvarez de Toledo and Francisco de Mendoza. A hint that on the basis of a theological opinion the Emperor felt justified, if need be without the Pope's permission, to seize church-treasure for the present purpose, was not calculated to make Paul III more forthcoming. Toledo prolonged his stay in Rome until 18 March without achieving anything. The Pope was not to be persuaded to contribute, were it only indirectly, to a further financing of the war beyond a very definite limit.



The Emperor's most pressing anxiety at the moment was undoubtedly how to assure financially the prosecution of the war; the Council had receded to the second place. It is easy to understand that, from his point of view, the monarch could not be satisfied with the course of the negotiations. In his instruction for Juan de Mendoza on 28 October 1546, he had declared that he would not for the world encroach on the rights of the Papacy, nor would he meddle with the internal affairs of the Council; he had nevertheless added a clause to the effect that he was anxious that the main controverted points ("los puntos mas principales y substantiales de la religión") should be kept back and precedence given to Church reform. This was the standpoint he had always taken. What was new was the remark that he had no objection to the Pope carrying out a reform of the Church within the Empire, independently of the Council ("fuera del concilio"), though on the one condition, that the locality of the Council, Trent, which had been agreed upon with the German Estates, was not changed because this constituted the juridical prerequisite for the subsequent subjection of the Protestants to the decisions of the Council. A translation to a locality outside the boundaries of the Empire, he added significantly, would make it impossible to overcome the opposition of the Protestants, would compel the Catholics to compromise with them, and eventually lead to a national council. Mendoza's instructions stated these basic ideas of the Emperor's conciliar policy with all the clarity that could be wished for.

With his attention fully occupied with the conduct of the war, the Emperor had hitherto done but little to translate these ideas into reality and had achieved very little. When towards the end of January 1547 the Pope replied, through Nuncio Verallo, to that part of the Emperor's instructions for Mendoza which concerned the Council, the decree on justification had been promulgated and the decision of the most important controversial doctrine was an accomplished fact. The Pope justified the action of the Council by pointing out the impossibility of a further postponement of a decision on the doctrine of justification without disappointing the prelates present at Trent and without lowering the authority of the Council. The way out of the impasse—the suspension of the Council—which had been foreseen in the November agreement between Farnese and Diego de Mendoza, had been rejected by the Emperor. As for Church reform, the Pope had handed it over to the Council and given appropriate powers to the legates, not because he shirked it or wished to put it off, but from a conviction that many deep-rooted abuses would be more easily removed by the Council than

by a reform decreed by the Pope. Of the last point of the instructions, the papal answer scarcely took any notice. The translation of the Council, which for weighty reasons had been mooted for some time, was no longer under discussion ("non si pensando hora a questo"). The Council had taken a course different from that expected at the time, that is in the last days of October. This shelving of the plan for a translation was not intended to deceive the Emperor. The Council had pursued its way regardless of the Emperor's wishes: it had, so to speak, run away from him without his doing anything to prevent it. He had slackened the reins of his conciliar policy and unduly neglected his diplomatic representation at Trent.

Shortly after Diego de Mendoza had definitely left his diplomatic post on 3 December, his colleague, Francisco de Toledo, also left in order to execute the Emperor's commissions in Florence and Rome. The three Spanish Crown jurists Vargas, Velasco and Quintana remained at Trent, but they were not accredited to the Council as diplomatic representatives of the Emperor. They were, moreover, without instructions and refrained from any kind of activity, for they were under the impression that the representation of the imperial interests was now the concern of Cardinals Pacheco and Madruzzo. Even the duty of reporting was carried out by them only spasmodically; thus their report on *Sessio* VI only reached the Emperor on 6 February, three weeks after the event. The severe blame which was accordingly administered to them was in fact undeserved, but is accounted for by the Emperor's annoyance at the unexpected promulgation of the decree on justification. As he had relied on the reports of the Roman ambassador, Juan de Vega, the monarch had not reckoned with such a possibility. Even now he contented himself with urging the jurists to show greater diligence in reporting. They were also directed not to give either an express or a tacit assent to decrees, or to any other act of the Council; only when in the discussions on the duty of residence the rights of the king were encroached upon, or those of his vassals appreciably injured, were they to raise a protest. What form the protest should take was not made clear. Since they were not accredited to the Council, they would have had to produce a written commission from the Emperor in each particular instance. The two cardinals were in a similar position. But was it possible that such powers could reach Trent in time if the Council were to take an unforeseen turn?

It was a grievous mistake on the Emperor's part to allow his conciliar policy to become a side-line, but his action, astonishing as it is

in itself, will surprise us much less if we bear in mind that in the first months of the year 1547 the Council was by no means the central interest even of papal policy.<sup>1</sup> The Pope was of opinion that with the promulgation of the decree on justification that assembly had fulfilled its main task. Thanks to the legates' skill it continued on its course and gave rise to no grave anxiety. By May, it was thought, it would perhaps have accomplished its task. That until then nothing could be done for the ordering of religious conditions in Germany was as well known in Rome as at Trent, but people comforted themselves with the thought—which was not far from the Emperor's mind also—that this task could be carried out by a legate, after the conclusion of the Council, though on the basis of its decrees. By comparison with the grave dangers of a lengthy Council, even a German national council—which until this time Rome had feared and resisted—appeared to Cervini as the lesser evil, and he succeeded in persuading the Pope of the soundness of his opinion. Behind his plan for the earliest possible termination of the Council lay the fateful, highly questionable notion that in any case Germany could not be saved for the Church, whereas it was of decisive importance that in those parts of Christendom which had preserved the Catholic faith, hence, essentially in the Latin countries, the faith should be clarified and ecclesiastical discipline restored through the Council. We are not likely to be mistaken if we assume that Cervini viewed the termination of the Council of Trent like that of the Council of Constance: the most pressing ecclesiastical reforms were to be effected by means of general conciliar decrees, while all else would be settled with each particular country, not, of course, by means of concordats with individual nations, as at Constance, but by papal legates and, if need be,

<sup>1</sup> In a letter of 26 January to Maffeo Cervini unfolds his plan for the termination of the Council in the early summer of 1547 and the elimination of Germany, *C.T.*, vol. x, pp. 802 f. That the Pope was strongly impressed by the observations on the German national Council made in that letter is confirmed by Maffeo's answer of 5 February, *ibid.*, p. 808, l. 2, the despatch of Vega on 7 February, vol. xi, p. 98, and a letter from Rome of Ruggieri, the Ferrara agent, dated 12 February 1547, erroneously numbered among the reports of the year 1543, State Arch. Modena, Dispacci Roma 27 A. Since there was no prospect of the Germans putting in an appearance at Trent "seria pazzia tener aperta quella porta, della quale non potessero aspettare se non danno": after two Sessions, the Council would be terminated. Cervini's plan bears a fundamental resemblance to the termination of the Council of Constance, though I would not go so far as to maintain that it served as a model. The idea was that the Council should decide the dogmatic controversies and restrict itself to a minimum with regard to the general reform which would be completed by particular regulations for each individual country. At Constance it was a question of concordats. In the present instance the idea was to send legates and eventually to hold national Councils. The whole plan is fundamental for an understanding of the translation of the Council to Bologna.

by national Councils. The Pope and his legate can scarcely have been blind to the fact that an early closure of the Council, regardless of the German Protestants, would cross the Emperor's great plan and meet with violent opposition on his part. However, for the moment this difficulty was not acute. The Pope was glad that the close connection with the Emperor, which had filled him with anxiety, had been slackened, and Cervini, the author of the plan, enjoyed his favour in fullest measure. With regard to the Emperor, the Pope felt he had reason in plenty for distrust and complaints.

In article 3 of the treaty of alliance, the Emperor had bound himself not to come to any agreement ("appuntamento o concordia") with the opponents which would affect the war aim and hinder or postpone its attainment, but above all not to make any concession in the religious sphere without the express consent of the Pope or of the legate authorised by him. For all that Verallo, who had inherited all the powers of the legate, was deliberately kept out of the preliminary negotiations with the South-German Estates. In this exclusion of his nuncio the Pope saw an unmistakable breach of contract, while the Emperor adopted the standpoint that here there was no question of peace negotiations of a decisive character, but only of preliminary discussions and provisional declarations of obedience. In point of fact these *capitula*, as the results of these negotiations were called, contained no concessions in the religious sphere, but on the other hand, the Estates that made their submission were not put under any obligation to return to the old religion—the religious sphere was left an open question. The Emperor's motive is unmistakable: he was in the midst of a war and it would have been highly imprudent to whip up Protestant resistance by premature demands, not to speak of coercive measures, and so create restlessness behind the lines. But the Pope viewed the boycotting of the nuncio as a breach of contract and, beyond this, the beginning of an arbitrary settlement of the religious problem of Germany.<sup>1</sup>

<sup>1</sup> The Pope's grievances against the Emperor were connected with article 3 of the treaty of alliance, the text of which is given in *N.B.I.*, VOL. IX, p. 576; its interpretation is contested. Friedensburg (*Introduction, ibid.*, pp. xlv f.) maintains that the Pope's grievance was groundless while Pastor, VOL. V, p. 591 (Eng. edn., VOL. XII, pp. 327 f.) says it was fully justified. The fact is that even Verallo admits on 25 December that up to this time the Emperor had granted no formal concessions in the religious sphere, *N.B.I.*, VOL. IX, p. 408. On 6 January Brenz comments thus on the "capitulation" of Hall, an imperial city: "Nulla hic volebat mentio admitti vel religionis vel veterum privilegiorum", Th. Pressel, *Anecdota Brentiana* (Tübingen 1868), pp. 262 f.; above all, he adds in letters dated 28 December and 6 January, no new civil oath was demanded, *ibid.*, pp. 259 and 263 f. Another reporter, Hans Zimprecht Barter, writes to Strasbourg on 17 January: "Item der religion halp nimt sich der keiser garnichts an, last alle

Paul III also reproached the Emperor with ingratitude. It was with his help that the monarch had become once more master in his own house, yet for all that he had no thought of acknowledging his obligation to the Pope by meeting him on questions of the second or third order which were still pending. The Nuncio Verallo submitted an extensive list of these in an audience on 12 November, among them the refusal to allow the *commendam* at Barletta to be occupied, the question of *spolia* at Savona, of encroachments in the sphere of ecclesiastical jurisdiction by the Viceroy of Naples, of similar encroachments in Spain, of the detention of two clerical prisoners at Florence. Pierluigi Farnese had not yet been recognised by the Emperor as Duke of Piacenza, while the newly appointed governor of Milan, Ferrante Gonzaga, a bitter enemy of the Farnese, kept up a never-ending conflict with him. In addition to all this, the imperialists accused Pierluigi of having been involved in the unsuccessful Fiesco conspiracy against the Doria in Genoa. By comparison with the grave matters that were at stake in Germany, most of these grievances were concerned with minor or purely personal interests, but they contributed for their part to the tension that bedevilled the relations between Pope and Emperor.

On the other hand the Pope's refusal to extend the treaty of alliance and the decision to recall his troops, which was arrived at on 22 January 1547, was inspired by a different motive. This was the Pope's conviction that the Emperor had given sufficient proof of his superiority, while it was not in the interest of the Papacy to increase his power still further as a result of total victory secured with its co-operation. This conviction was in accord with Paul III's fundamental political attitude, but it had also been strengthened by the skilful work of French diplomacy and its spokesman Dandino. It also conformed to the political opinions of the conciliar legate, Cervini, about whose anti-imperial attitude there could be no doubt since the incident of the summer of 1546. The influence of the cardinal-nephew, Alessandro Farnese, who since his return from his German legations was regarded as a supporter of the imperial policy and who delighted in the role of "gran servitore dell' Imperatore", had visibly declined. Both Juan de Vega and the two extraordinary envoys, Juan de Mendoza and Francisco de Toledo, had to

pfarer bitz zu einem generalconcilium pliben, als er sagt, in jarsfrist zu halten", *Pol. Corr. Strasburg*, VOL. IV, PT I, p. 573. On 19 February Johann Sturm writes that there was a possibility that the Emperor would not touch either the freedom or the religion of Strasbourg (*ibid.*, p. 609), but he is not referring to a definitive regulation; Strasbourg's agreement with the Emperor (*ibid.*, pp. 658 ff.) contains no reference to a change of religion.—The Pope's lesser complaints against the Emperor, *N.B.I.*, VOL. IX, p. 341.

learn by experience that Farnese's intervention with the Pope on their behalf was not greatly to their advantage. Vega saw that the main cause of this lay in the cardinal's personality. His vanity, want of judgment and unreliability, Vega felt, robbed him of any weight; he did not even command the devotion of his own secretaries. The fact was that Alessandro was not the man to dissuade so experienced and shrewd a politician as Paul III from a decision suggested to him by the shifting of the balance of power then in progress in the whole of Europe.

The second step in the new direction of papal policy was the nomination of the two peace-legates on 25 February 1547. No one could question the fact that it was the Papacy's duty to work for peace between Christian princes. However, the missions of Cardinal Sfondrato to the Emperor and that of Cardinal Capodiferro to the King of France were prompted by a consideration of high politics, that of getting the two monarchs to take their places at the diplomatic conference-table while the balance of power had not yet been definitely upset by total victory in Germany. There can be no doubt that though Sfondrato was personally acceptable to the Emperor, his arrival at this moment was not welcome. A new significance was given to Capodiferro's mission by the death, on 31 March, of Francis I, a circumstance which made the legate the bearer of the Pope's good wishes for the king's son, Henry II, on his accession to the throne. A change of rulers, one could surely hope, would facilitate an understanding. Both legates were charged to work for the return of England to the unity of the Church. It is doubtful whether the Pope actually saw in Henry VIII's death a real chance of England's return to the Roman obedience. The postponement of the announcement of the nomination of a third legate—this time for England—was justified by the objections to Cardinal Pole who had been considered for the post. These objections did not come exclusively from the French side. The departure of the two legates was delayed until the month of April.<sup>1</sup>

<sup>1</sup> The brief of 22 January recalling the papal troops, Raynald, *Ann. eccl.* 1547, no. 98. The decisive passage drafted by Maffeo, *N.B.I.*, VOL. IX, p. 422, n. 1; the instructions for Verallo of the same date, *ibid.*, pp. 421-5. The Pope's decision to send peace-legates to the Emperor and to the King of France had already been taken on 18 February, *C.T.*, VOL. X, p. 821, l. 25. After the nomination of Sfondrato and Capodiferro in the consistory of 25 February, *ibid.*, p. 827, Verallo was given appropriate instructions, *N.B.I.*, VOL. IX, pp. 492 ff. The instructions for the two legates are printed by Druffel, *Briefe und Akten*, VOL. I, pp. 50 ff. Cattaneo, Madruzzo's Roman agent, claimed to have heard that if necessary the Pope would be satisfied with a truce (*treuga: accordio*) and when the Emperor had improved his relations with France the Pope would be more forthcoming towards him, *C.T.*, VOL. X, p. 880, l. 7. In this instance the wish was father to the thought.

The Pope's grievances against the Emperor, his refusal to extend the alliance and the appointment of peace-legates constitute the foreground of his policy; in the background was his considered opinion that negotiations on a broad basis must be started before the Emperor had achieved complete military victory and thereby made himself absolute master in the Empire, and lastly the Pontiff's deep-rooted distrust of Charles V's ulterior intentions: there is no other convincing explanation of the facts. On the other hand our sources furnish no indication whatever that the Pope intended to bring about a change in the status of the Council. What took place at Trent in the second week of March 1547, happened without his previous knowledge and without his orders, though it fitted in very well with the line which the papal policy had pursued since the turn of the year. The question, therefore, is: "Who took the initiative for the translation of the Council?"

Before we look for an answer to this question by studying the facts, we must form a picture of the conciliar legates' attitude to their task.<sup>1</sup> Del Monte was weary of his office and of residence at Trent. To the city's climate he ascribed the deterioration in his health. Painful attacks of gout, trouble with his eyes, bouts of toothache, repeatedly compelled him to leave the presidency of the general congregations to his colleague, or even to absent himself from these gatherings. His collisions with the imperial cardinals contributed for their part to render his stay at Trent distasteful to the excitable prelate. His frequent requests for permission to resign had not been granted up to this time, but now at last he had his wish. On 2 March 1547 Farnese informed him that the Pope had accepted his resignation: he should, however, await the arrival of his successor. Though the latter was not yet nominated, there was nothing to prevent him from making preparations for his departure as soon as *Sessio* VII was over. From the moment he received this information Del Monte was not greatly interested in a change of locality for the Council.

<sup>1</sup> Reports of Del Monte's bad health were already coming in in 1545, *C.T.*, VOL. X, pp. 183, l. 4; VOL. I, p. 267, l. 30. He suffered from podagra and chiragra "con intolerabile dolore", VOL. X, pp. 420, l. 35; 434, l. 29; VOL. I, p. 418, l. 19; also pains in the face and ears, VOL. X, p. 548, l. 25; in the throat, p. 654, l. 36, and was permanently in the doctors' hands. His bad state of health was one of the motives, though not the only one, of his repeated requests for his recall, acceptance of which had been given serious consideration ever since the autumn of 1546, VOL. X, p. 670, l. 11. The Bishop of Astorga had heard of Del Monte's forthcoming release as early as 13 February 1547, VOL. XI, p. 103, l. 2. Farnese's information of 2 March 1547, that the request had been acceded to, VOL. X, pp. 830 f.; also reported by Gianbattista Cervini, *ibid.*, pp. 926, l. 37; 927, l. 10. The latter claims to have information that Sfondrato would eventually replace Del Monte, *ibid.*, p. 928, l. 27.

Cervini's situation was different. He had worked himself up to a position in which he was the real leader of the Council. The Pope regarded him as indispensable for its continuation, but above all for its early termination in the way he had in mind. However, Cervini too disliked his stay at Trent ever since the Emperor had threatened him with his vengeance. This vengeance he would have to fear more than ever if, following his own plan and crossing that of the Emperor, he were to push the Council rapidly forward and to terminate it before the Germans would be able to put in an appearance in that assembly. In the summer of 1546, he discovered that a favourable occasion for a translation had been missed because Rome had been consulted on the subject. It would not have been surprising, therefore, in the event of a similar opportunity offering itself, if he did not repeat the mistake then made, but acted promptly and on his own authority. His prestige in Rome had been enhanced by the promulgation of the decree on justification and he was more sure of the Pope's confidence than ever before. The only question was whether a fresh occasion for a translation would arise: in the days immediately following *Sessio VII* there seemed to be no likelihood of such a thing happening.

On 7 March 1547, the Council took up its work as usual.<sup>1</sup> It received the above-mentioned envoys of the German chapters who were in quest of an authentic interpretation of the stipulations in can. 4 of the decree on residence, concerning the bishops' right of visitation of cathedral chapters. It gave its assent to the proposal made by Cervini who was presiding in the place of the president who was sick, not to proceed to the next subject for debate, that is not to discuss the sacrament of the Eucharist jointly with the sacrifice of the Mass, but to put off the latter until all the sacraments had been discussed. Only then would the abuses in the administration of the sacraments be examined. The legates evidently counted on rapid progress of the dogmatic debates, all the more so as the "articles" on the four sacraments still outstanding, Penance, Extreme Unction, Holy Order, Matrimony, were already drawn up.

<sup>1</sup> The acts of the debate on the Eucharist, 7 to 9 March 1547, *C.T.*, VOL. v, pp. 1007-17. We pass over their content as well as that of the fourteen theologians' congregations between 3 and 19 February, *ibid.*, pp. 869 ff., to present it later on in connection with the Bolognese debate. The collection of material from the Greek Fathers and Byzantine writers put together by Sirleto is in VOL. x, pp. 951 ff. Massarelli's note, VOL. I, p. 623, l. 42, proves that the articles on the sacraments that had not yet been discussed, were ready by this time.



In the general congregation of 8 March, at which Del Monte presided once more, the envoys of the German chapters were informed that they must furnish proof of their being the representatives of these bodies. Then followed the opening of the debate on the articles on the Eucharist, on which the conciliar theologians had been heard from 3 to 19 February. The new method introduced in the debate on the sacraments previous to *Sessio VII* had prevailed. The ten articles on the Eucharist submitted to the theologians were divided into two categories: six were to be "condemned absolutely" (*simpliciter damnandi*), while four were to be rejected "with some qualifications" (*cum aliqua declaratione*). Eleven additional articles formulated by the theologians were likewise to be discussed.

The debate ran its course without incident and made good progress. Twenty out of the forty-six prelates present delivered their votes and in the congregation of the following day seventeen more did the same, so that there was reason to hope that the first reading would be concluded in one more congregation. However, when the Bishop of Bertinoro had given his vote, the president suddenly stopped the debate and put to the Fathers of the Council—most of whom were completely taken by surprise—the question whether or not the Council should remain at Trent.

Del Monte began by recalling the events of the last summer. At that time, when the dissolution of the Council was threatened, the legates had formally pledged themselves to warn the assembly of any possible danger and to care for the health and life of its members as they would for their own. Since the last Session nearly a dozen prelates had left without the express permission of the legates; several others had a mind to follow their example because a sickness resembling smallpox had broken out in the city. It had carried off the Bishop of Capaccio and was daily claiming further victims. Up to this time the legates had refused, on principle, to allow anyone to leave, but had promised those who asked to lay the matter before the Council. Moreover, with a view to a reliable basis for future decisions, they had obtained from Fracastoro, physician to the Council, and from Balduino, Del Monte's personal physician, a report on the character of the sickness prevailing in the city. This report showed that the sickness was epidemic and a forerunner of the plague. Fracastoro had added force to his report by a personal declaration to the effect that he did not feel bound, by the terms of his contract with the Council, to treat the victims of an epidemic; if he were offered a hundred florins a day he would not

remain in the city. Del Monte himself read the physicians' memorial and then asked the prelates to state their opinion. The legates were prepared to abide by the will of the majority, either to stay or to go, but they made one reservation: the Council must not be dissolved. The word "translation" had not been uttered; for all that it was clear to everyone present that the legates intended to move the assembly. On what facts did they base their decision?

The memorial of the physicians, Girolamo Fracastoro and Balduino de' Balduini, which was incorporated in the acts of the Council,<sup>1</sup> leaves no reasonable doubt that the sickness which had made its appearance at

<sup>1</sup> The memorial on typhus at Trent by Fracastoro, the physician of the Council, and Balduino, Del Monte's personal physician, *C.T.*, VOL. V, pp. 1014 f., is defended as a conscientious and medically valuable document by F. Pellegrini, "L'epidemia di 'morbus peticularis' del 1546-1547 e il medico del Concilio di Trento", *Castalia*, II (1946), published separately. Of Balduino de' Balduini we only know the little told us by conciliar sources (*C.T.*, VOL. I, pp. 224, l. 22; 225, l. 25; 228, l. 15—invitations, with Massarelli, from the officials of Madruzzo's court).—Girolamo Fracastoro, a native of Verona († 1553) is one of the most famous physicians and naturalists of his age, whose *Opera omnia* (Venice 1555) saw several editions (the last at Padua in 1739). His work *De contagione et contagiosis morbis* (Venice 1546), reprinted at New York in 1930, is regarded as the foundation of pathology. F. Diepgen, *Geschichte der Medizin*, VOL. I, p. 262, says that it is only necessary to replace the word *contagio* by bacillus to see that Fracastoro anticipates not a few discoveries of modern bacteriology. His descriptions of typhus in the army of Lautrec before Naples is regarded as the first accurate description of the disease by W. Kolle-R. Kraus-P. Uhlenhuth, *Handbuch der pathogenen Mikroorganismen*, VOL. VIII, PT II (Jena 1930), p. 1108; Nicolaus Leonicus calls it a "new" disease in a letter of 15 March 1529 to Pole (Vat. Bibl., Ross, lat. 997, fol. 27<sup>v</sup>): "inaudita sc. novi cuiusdam morbi labes primo statim vere (1528) exorta, petecchias vulgo appellabant, quae toto corpore maculis infecto cum ardentissimis febribus hominem vel robustissimum invasisset, eum septenis fere, ad summum novenis diebus conficiebat. Qua tempestate eruditissimus vir et nobis carissimus Baptista Leo maximo omnium dolore nobis ereptus est"; for the transmission of the bacillus through the air, see H. Eyer in: *Handbuch der inneren Medizin*, VOL. I, PT I, (Berlin 1952), p. 658. H. Eyer, the leading authority in this field, has gone over the doctors' memorials with me—for which my thanks are due to him.—Fracastoro, on friendly terms with Giberti and highly esteemed by Paul III, had been appointed official physician to the Council, on Madruzzo's recommendation at the end of January 1546, and received the large salary of 60 scudi a month, *C.T.*, VOL. I, p. 386, l. 2; VOL. X, p. 345, l. 5. Cervini consulted him, VOL. I, p. 545, l. 38; VOL. X, p. 504, l. 37, and he was also summoned to the sick-bed of Alessandro Farnese, VOL. X, p. 547, l. 31. He was, moreover, friendly with one of the local doctors, Giulio Alessandrini. The copious literature about him is listed by F. Pellegrini, *Girolamo Fracastoro* (Trieste 1948), pp. 181-6; his theological interests appear in the *Scritti inediti di Girolamo Fracastoro*, published by F. Pellegrini, Verona 1955; cf. H. Jedin, "Laientheologie im Zeitalter der Glaubensspaltung: Der Konzilsarzt Fracastoro", *Trierer theol. Zeitschrift*, LXIV (1955), pp. 11-24.—The Trent doctors' refusal to sign the memorial, *C.T.*, VOL. I, p. 141, l. 6, in no way shakes its authority, all the more so as, according to a hint by Del Monte, it must be assumed that pressure had been brought to bear upon them from the imperial side. Anonymous's suspicion, VOL. X, p. 884, l. 17, that Fracastoro had been bribed by the papal side (among other things by the promise of a bishopric or a chair at Bologna University), is not confirmed by any other source.

Trent was *morbus lenticularum sive ponticularis*, in popular speech “petecchie”—that is typhus. The symptoms described by the doctors—a high fever, rising to delirium, an irregular pulse, spots the size of lentils on chest, back and arms, and the infectious nature of the disease are diagnostic of typhus borne, as we now know, by lice and which has been so dreadful a scourge of armies on active service in particular, up to our own days. The first physician to provide an accurate description of typhus was none other than the physician of the Council, Fracastoro. He had encountered it in the year 1528, when it nearly destroyed the French army which was then besieging Naples. As a matter of fact in his memorial for the Council, Fracastoro refers to his observations made at the time (*sicuti anno 1528*). With his work *De contagione et contagiosis morbis*, printed at Venice in 1546, he became the pioneer in the field of infectious diseases. Although his theory of the transmission of the infection through foci (*seminaria*) is not the last word in medical science, yet it is generally agreed that his observations are extraordinarily accurate. In the present instance his belief that the disease was probably carried by the atmosphere and that the upper classes, the *nobiles et delicati* were more liable to it than others has been confirmed by modern physicians. Time and circumstance and other details of the disease prevailing at Trent, correspond to the diagnosis of typhus. This disease spreads when many people are living crammed together, neglecting the rules of hygiene and when in addition there is a plague of lice. It is a typical winter disease. Its focus, in the present instance, was undoubtedly the German theatre of war and from there it was carried into Trent. The list of those who had fallen sick included Canon Balduinus of Trent († 4 March 1547), recently returned from Germany, and two Italian captains. It is natural to suppose that the papal mercenaries streaming back from Germany had carried the disease into Trent where, owing to the overcrowding of the city, it could spread easily. Madruzzo had closed the city to the soldiery, but the measure was ineffective because of the exceptions that were made.

We are better informed about the nature of the disease than about its spread and virulence. Official statistics were not immediately drawn up by the city authorities, though this was an obvious measure and one urged by the imperial side. Apart from a few somewhat vague indications in the correspondence of the members of the Council and Pacheco's report to the general congregation of 10 March, which was based on information he had personally sought, we have no other source of information about the extent of the epidemic than the statements which Severoli, the

promoter of the Council, obtained under oath from nine witnesses, though only on 10 March.<sup>1</sup> These were the two Servites Andrea Mafeotti and Lorenzo Mazochi, the commissary of the Council Antonio Pighetti, two familiars of the Bishop of Saluzzo, Raphael de Paladio and Jacobus de Crescentiis, one of Cervini's familiars, Sylvester de Guaino, with whose position we are not acquainted, Claudius Jacobi of Genoa, and finally the "velutarius" Dominicus de Volano, a resident of Trent, and a Milanese lady of the name of Caterina. It cannot be denied that the choice of these witnesses is one-sided. At least four of them occupied subordinate positions and only two were residents of Trent. Moreover their statements are often extremely vague. Above all it is essential to differentiate between what they had seen with their own eyes and what they only knew from hearsay. If we go by these critical principles we get the following picture:

On 10 February 1547, the legates for the first time mention the appearance of the "spots" ("petecchie") in the region of Trent ("in più parti"). Hence there is little probability that the general of the Observants, Johann Calvus, who died on 21 January, had fallen a victim to the disease, as was subsequently asserted. The Servites Mafeotti and Mazochi testify, from personal knowledge, that the number

<sup>1</sup> The first mention of the "petecchie" occurs in the legates' report of 10 February, *C.T.*, VOL. X, p. 811, l. 16; an incidental mention of the "paura delle petecchie", *ibid.*, p. 833, l. 21; on 5 March they write: "Non credemo, che queste petecchie siano per far troppo male così presto", *ibid.*, p. 835, l. 18. That the Bishop of Capaccio died of this disease is generally accepted; the statements of the nine witnesses on the number of cases of sickness and death given in the text are in VOL. V, pp. 1027-31; data about the number of the sick (40 to 50), *ibid.*, pp. 1027, l. 39; 1029, l. 44. The Spanish jurists furnish the important information that besides some of the residents in the city, "soldados que pasan son muertos", VOL. XI, p. 111, l. 16, and that Canon Balduinus, who died on 4 March, had suffered from the same disease, *ibid.*, p. 110, l. 29. Even that bitter enemy of the legates, Anonymous, VOL. X, p. 884, l. 10, confirms the fact that the sickness had been imported from Germany (in spite of the quarantine mentioned in VOL. I, p. 614, l. 27), and gives the number of victims as 4 to 5. The statement of the praetor of Trent that only two fatal cases had occurred, VOL. X, p. 883, l. 39, is surely too low. Equally too low is the result of the enquiry organised by Pacheco to the effect that of the 35 sick people in the city only 4 or 5 suffered from typhus, VOL. I, p. 140, l. 46; the praetor, VOL. X, p. 883, l. 39, puts the number at 10 or 11. But even so the difference between this and the estimate of the papal side (40 to 50) is still very great. The text shows that I regard Pacheco's criticism of the statements of the witnesses, VOL. I, p. 143, l. 20: "testes sunt suspecti et loquuntur de rebus sibi incognitis", as at least in part justified. On 14 March, that is three days after the translation, a trial was held before the Vicar General, at the instigation of the consuls, of those who had "calumniated" the city, the result of which, as we learn from the protocols of the notary Malpaga, was a justification of the imperial standpoint—as was to be expected. Giuliani, *Trento al tempo del Concilio* (Trent 1883-4), pp. 59 f.; G. Ciccolini, "Riflessi del Concilio di Trento nei registri del notaio Giorgio Malpaga", *Atti della Accademia Roveretana degli Agiati*, VOL. IV, PT IX (Rovereto 1929), published separately, p. 19.

of burials in the cemetery of Sta Maria Maggiore had increased since Christmas and had amounted to as many as four a day within the last few weeks. But whether these deaths were due to typhus they were unable to say—yet this was precisely the thing that mattered. Another witness, Claudius Jacobi, testified that as far as he knew, of the five dead whose burial he witnessed on one day, only one had had typhus. The two Servites only knew from hearsay that the number of burials had also appreciably risen in the cemeteries of the cathedral and S. Pietro; Pighetti too had likewise heard—not seen—that they had amounted to seven or eight a day within the last six days. On the other hand Pacheco stated that the parish priest of S. Pietro had affirmed on oath that, since the beginning of the month of March, only two deaths had occurred in his parish. Caution is equally suggested by the fact that up to 4 March the legates' reports are completely silent about the sickness and the alleged higher mortality, and even on 5 March they do not believe there is acute danger, though they ask for instructions for their conduct in any eventuality. Their conduct does not lend support to the notion that up to the beginning of March the disease was widespread, or that it had assumed the proportions of an epidemic.

It was the death of the Bishop of Capaccio, Enrico Loffredo, on 6 March, that raised the first alarm. This prelate of Spanish extraction, only twenty-six years of age, had been present at the Ash Wednesday ceremonies as recently as 23 February, but was missing from the general congregations on the days that followed, as well as from *Sessio VII*. He was suffering from typhus and his fever rose to delirium. At this time too, several other members of the Council fell sick with the same symptoms. They were the master of ceremonies, Pompeo de' Spiriti, a member of Del Monte's court, and the "maestro di casa" of the Archbishop of Palermo, whose name, however, is not known. The cook of the Bishop of Saluzzo, though on the way to recovery, showed signs of mental derangement which was regarded as the consequence of typhus from which according to Balduini's diagnosis, he had been suffering. People remembered that one of Cervini's familiars, Marco Antonio, whose death seems to have occurred somewhat earlier, had infected his nurse, the witness Caterina. The latter spoke of four other cases which she had nursed, among them the two officers Rodulfus de Pittigliano and Alfonsus de Pisis. The Trent physician Giulio Alessandrini had refused to attend the wife of the witness Dominicus de Volano when she was taken ill with typhus. The latter is the only one



*(Photo Alinari)*

GIOVANNI MARIA DEL MONTE, later POPE JULIUS III  
*After a painting by an unknown artist in the Galleria Spada, Rome*



of all the witnesses to answer the estimate of the number of typhus cases at Trent given in Severoli's *questionnaire* as forty, by saying that their number was over fifty. Pacheco, on the other hand, maintained that there were only four or five, but the *praetor* of Trent counted—though at a later period—between ten or eleven cases.

A sober examination of all these data on the spread of typhus at Trent leads to the conclusion that there are no sure grounds for assuming the existence of a large-scale epidemic. However, Pellegrini, the historian of medicine, who was also an army doctor, rightly judges that in view of the inadequate preventive measures of the time, even if there had been but one case of typhus, there was sufficient reason for serious alarm. Once the fact of an infectious disease at Trent had been established, there was reason to fear that the Republic of Venice, whose strict health inspectors were regarded as exemplary, would close the frontiers and that the neighbouring States would do likewise. In that case, if they took a long view, the provisioning of the Council would be endangered. It was likewise necessary to reckon with the fact that a further postponement of the decisions which had perforce to be taken would make it impossible for the members of the Council to find accommodation in the neighbourhood at a later date. A panic broke out among the more timorous. As soon as the Session was over, about ten prelates left the city, as some had done after *Sessio* VI. One section of those who remained—those in particular who were weary of the Council—besought the legates to act without delay.<sup>1</sup> They were determined to strike while the iron was hot in order to get out of Trent.

In the general congregation of 9 March, the Archbishop of Matera made himself their spokesman. Belated help, he said, was no help at all.

<sup>1</sup> Composition of the translation party on 9 March: since the legates repeatedly declared that immediately after the Session some twelve prelates had left the city from fear of the sickness, "partim nobis insciis partim etiam contradicentibus", *C.T.*, VOL. I, p. 139, l. 25, it must be admitted that Pacheco was right when he absolutely rejected this assertion and described the departure of the bishops after the Session as no unusual occurrence, *ibid.*, p. 143, l. 30; the same thing had happened after *Sessio* VI. After *Sessio* VII the Bishops of Milos, Motula and Sora, VOL. X, p. 834, n. 6, left and that with letters of recommendation for Rome, VOL. I, p. 622, ll. 39 and 45. The Bishop of Salpi had gone to Brescia and the Bishop of Bitonto to Padua; moreover in the lists of those who voted on 9 and 10 March, the names of the Bishops of Corfu, Clermont, Vercelli and Fano are missing, yet they had assisted at *Sessio* VII; also missing are the generals of the Conventuals and the Carmelites. This gives a total of eleven departures.—On 9 March an immediate translation was only supported by the Bishops of Saluzzo, Vaison, Caorli, Curzola, Belcastro, Melos and Famagusta. The Bishops of Feltre and Isernia were in favour of a translation, but only after previous consultation with the Pope, hence I count them with the third group. The advocates of translation were therefore a small minority.



Even a suspicion of the "plague" was adequate grounds for discontinuing the conciliar discussions. In the previous year two cases of the plague at Rovereto had been enough to shut the gates of all the neighbouring cities to the inhabitants of the territory of Trent, with the consequence that several prelates had been obliged to spend the night in the open. The bishop made a formal request for permission to leave immediately: his one concern was to get out of Trent without delay. Only a relatively small group, led by the Bishops of Saluzzo and Belcastro advocated that the removal from Trent should take the form of a translation of the Council to another locality. A majority demand for a translation was still a long way off.

The legates' proposition of 9 March apparently took the imperial party completely by surprise.<sup>1</sup> In January the Bishop of Astorga had indeed become slightly suspicious when the president casually mentioned an outbreak of "the plague" in Germany. But the disquiet soon died down, especially as the physicians gave an assurance, as late as the beginning of March, that there was no danger of an epidemic. Now, however, an official medical report admitted its existence. It is easy to understand that Pacheco contested it vehemently. However, what he denied was the existence of an epidemic of the plague, and this the physicians to the Council had never asserted. He insisted on a consultation of the local doctors of Trent who, were it only for the sake of their city's reputation, or from political motives, could be expected to deny, or at least to minimise, a danger whose existence the physicians of the Council affirmed. Above all he insisted that a decision fraught with such weighty political consequences could not be taken in a hurry. He demanded a postponement, until Pope and Emperor had been consulted. All the Spaniards present, as well as several others—about a dozen altogether—ranged themselves on Pacheco's side.

<sup>1</sup> In addition to Pacheco the following were, on 9 March, opposed to any change in the status of the Council, whether by suspension or translation, viz. the Bishops of Sassari, Upsala, Palermo, Lanciano, Syracuse, Badajoz, Huesca, Calahorra, Fiesole, San Marco, the Bishop of the Canaries and perhaps the Bishop of Porto. The Bishop of Astorga seems to have been absent on that day. Besides the Spaniards, Severoli, *C.T.*, VOL. I, p. 138, l. 37, names the Bishops of Sassari, Upsala, Palermo, Fiesole, San Marco, Syracuse and—by mistake—the Bishop of Cadiz. On the other hand it is certain that the latter pronounced in favour of a suspension for a short period so that he belongs to the third group, VOL. V, p. 1016, l. 36; he accordingly proposed as late as 10 March that the Pope be consulted before a decision was reached, *ibid.*, p. 1019, l. 48; he even repeated this proposal at the Session but ended by voting for the translation with the proviso: "Si . . . praesidentes in hoc mentem S<sup>ts</sup> S. sciunt", *ibid.*, p. 1033, l. 40.—For the earlier observations on the "pestilence" from the imperial side, see VOL. XI, pp. 102, l. 40; 110, l. 3.

A third group adopted an intermediary standpoint. They admitted the existence of danger and were in favour of immediate departure from the city, but would not consent to a translation without a previous consultation at the very least of the Pope. The Bishop of Alba, Vida, was of opinion that in view of the danger of infection no further general congregations should be held. With the opinion of the Bishop of Matera and that of his adherents we are already acquainted. The Bishop of Sinigaglia, the leading brains of the group, proposed that while the epidemic lasted, the prelates should be permitted to withdraw to places no more than a three days' journey from Trent. This would allow time for a consultation with the Pope. This suggestion, which amounted to a suspension of conciliar activity, was supported even by strictly curialistic prelates, such as Ambrosius Catharinus and the Bishop of Pesaro and the generals of the Dominicans and the Servites. Pighino spoke in favour of a suspension of the Council and a consultation with the Pope and the princes. Tommaso Campeggio deemed it imperative that the Pope himself should designate the new locality of the Council.<sup>1</sup> Thus this third group, which was also the strongest, sided with those who favoured a translation in so far as it felt that the danger of typhus had to be taken seriously, while it shared the misgivings of the second group about a hasty translation, especially one carried out without the Pope's knowledge. Together with the second group it was strong enough to prevent a decision for an immediate translation. The fact that it included such convinced curialists as Saraceni, Cicada, Pighino and Simonetta is sufficient proof that the legates were not playing a preconcerted game, for in that case they would not have failed to make sure in good time of those votes for a translation and would have risked a conciliar vote. But if they meant to take the Council by surprise—which, they protested, had never been their intention—the attempt was a failure; that they had no such design is proved by the fact that they did not hesitate to put off a

<sup>1</sup> The third group which advocated an immediate departure from the city, hence, *de facto* a suspension, while it insisted on the Pope being consulted previous to a final decision, included in addition to the adherents of the Bishop of Matera (among whom we must count the Bishop of Albenga and some others), the Bishops of Sinigaglia (its leading figure), Parenzo, Alba, Pesaro, Cadiz, Aquino, Minori, Alife, the two abbots, the generals of the Dominicans and the Servites. The Bishop of Feltre also favoured a delay, as did the Bishop of Isernia and the Archbishop of Armagh. Finally even the Bishop of Bosa, who later on proved a determined opponent of the translation, must be counted with this group. His view was that prayers should be offered for preservation from the sickness while they considered their decision. Since most of the adherents of the third group pronounced in favour of immediate departure from the city, Massarelli, *C.T.*, VOL. I, p. 624, l. 29, counts them among the advocates of a translation; but here too Severoli, VOL. I, p. 138, l. 49, makes a more accurate distinction.

decision until the following day. By so doing they gave the imperial party a chance to prepare for resistance.

After the gathering had dispersed, Pacheco repeated his arguments against a translation in a private conversation with the legates and afterwards took counsel with the crown jurists. He also informed Madruzzo, who since the death of his brother Aliprando had retired to Castello Madruzzo, of what had taken place and sent Quintana to ask him to return at once to Trent.<sup>1</sup> The crown jurists called on the legates and made the following statement: There was no question of a general epidemic in Trent; the city was not a focus of infection; it was not even unhealthy. Only one bishop had died during the two years they had now been at Trent. A few cases of fever, even if they ended fatally, were no reason for moving the Council, especially not with so much haste and without previous consultation of the Pope and the Emperor. Trent had been designated as the locality of the Council in agreement with the Emperor and the Estates of Empire so that there was a legal obligation to obtain the monarch's consent before any

<sup>1</sup> The measures taken by the imperial party between the general congregations of 9 and 10 March are put together in the reports drawn up for the Emperor by Pacheco, the Bishop of Astorga and the crown jurists, *C.T.*, VOL. XI, pp. 110-18. Madruzzo was kept specially informed by his secretary Alberti, VOL. X, p. 882. On receipt of the news of the death of his brother Aliprando, at Ulm (18 February 1547), cf. *N.B.I.*, VOL. IX, p. 482), he had retired to Castello Madruzzo, *ibid.*, p. 825, l. 28, and had not taken part in *Sessio VII*. His passive attitude was one of the chief causes of the defeat of the imperialists. His motive, namely that he was unwilling "to be crucified again because he restricted the freedom of the Council", is given in his letter of 13 March to Morone, VOL. XI, p. 133, l. 10.—The *Sententia de sede Tridentini concilii non mutanda* of the Bishop of Fiesole given by Ehses in *C.T.*, VOL. V, p. 1020, n. 1, is also found in a copy at Madrid, Bibl. Nacional, 9195, fols 18<sup>v</sup>-23<sup>v</sup>. It is unlikely that it was delivered at the general congregation of 10 March. The same applies to two writings in the same Cod. 9195 of the Bibl. Nac., which are most probably to be traced back to Vargas: "La contradicción que hicieron los ministros de la Mag. de Carlos V para que no se mudasse el Concilio de Trento" (fols. 7<sup>r</sup>-9<sup>r</sup>); "Oratio ad patres in Tridentina synodo congregatos de ratione non immutanda, authore Francisco Vargas" (fols. 9<sup>r</sup>-18<sup>r</sup>). The matter of the "Oratio" is nevertheless interesting because it was drawn up during the days immediately preceding the translation and may even have been circulated in manuscript for the purpose of securing votes. In Vargas's opinion the translation would lead to a suspension and even to the dissolution of the Council. With this argument he hoped to attract to the imperialist side the, as yet, undecided group of prelates who on 9 March had spoken in favour of a temporary suspension of conciliar activity. Like the Bishop of Badajoz, Vargas argued that the Council must go on in any circumstances because its main task was not yet done: "quae monstra abusuum domastis? quae de dogmatibus decreta edidistis?" (fol. 11<sup>a</sup>, r). If the Council were to dissolve now its convocation would appear to have been a bad joke ("per iocum et risum"); above all the heretics would triumph—had they not always claimed that the Council would never assemble, or else would leave essential matters on one side? He concludes with a list of nine reasons against the translation and appeals to the prelates' conscience: "attendite vobis et universo gregi!"

change of locality could take place. The legates should have no difficulty in retaining the prelates at Trent—at least for the time being.

The legates for their part referred to the doctors' report—it was not a question of a harmless fever. Translation was the only means of preserving the Council from complete dissolution. The jurists repeated their demand for a previous consultation of the Emperor. Del Monte was about to reply when Cervini seized his hand and talked to him earnestly. What the jurists were able to hear (“a lo que tenemos entendido”) came to this: The Pope wants a translation at any price (“que per orden de S. S<sup>d</sup> están avisados de hacer esto, con qualquier color que pudiesen”). Then, turning to the jurists, Cervini continued: “The Council has now been at work at Trent for two years without the Germans having put in an appearance. Decisions of importance for Germany (the dogmatic ones) have been taken, the necessary reforms for other countries can be arrived at in some other locality, especially as the Pope's advanced age and the possibility of the Apostolic See becoming vacant, seem to render it desirable that the Council should not remain here where it cannot be easily terminated.”

With this train of thought we are already acquainted. Cervini showed his cards to the jurists with surprising frankness; novel, however, and wholly unsupported by the conciliar correspondence is the assertion he is alleged to have made, that the translation was taking place by order of the Pope. We shall have to deal with this later on. In any case, the result of the conference between the legates and the crown jurists was quite inconclusive.

After the failure of their diplomatic *démarche* with the legates the jurists agreed, on the evening of 9 March, on two further steps, namely, first to get the *podestà* of Trent to have a report drawn up on the state of health of the population on the basis of information supplied by the doctors, the parochial clergy and the tradesmen of the city, for the purpose of refuting the physicians' memorandum, and together with it the legates' allegation of the existence of a dangerous epidemic. Secondly, to do their utmost, jointly with Pacheco, to secure votes against a translation, seeing that the legates on their part were also working far into the night. Meanwhile Quintana had returned from Castello Madruzzo. His report was not encouraging. Madruzzo refused to return to Trent and to throw his weight into the scales as a territorial lord as he had done in July 1546. He excused himself on the grounds that he was inadequately acquainted with the Emperor's intentions and contented himself with sending a courier to the imperial

court—a wholly superfluous gesture, for Pacheco's courier had been on the way for some time already. Madruzzo's advice that they should contact the French envoys was rejected by the jurists as useless and hopeless. One thing was now quite clear: the cardinal was holding back deliberately, for fear of exposing himself anew to the accusation that he had interfered with the freedom of the Council.

Thus the imperial party at Trent was forced to rely on its own resources. Pacheco spent the hours before the next general congregation (15 h., by Italian reckoning 9.15 a.m.) in seeking information about the number of those who had contracted typhus or had died of it, and in studying the teaching of Canon Law about the translation of a Council. However, all the efforts of the imperial party to obtain votes against the translation, or at least votes in favour of a postponement of the decision, were in vain. Those who had been in favour of a suspension went over, almost without exception, to the party in favour of a translation. The general congregation of 10 March accordingly presented a totally different picture.<sup>1</sup>

Del Monte opened it with a declaration that now as before the legates were prepared to comply with the wishes of the majority—only

<sup>1</sup> On the decisive general congregation of 10 March, Severoli, *C.T.*, VOL. I, pp. 139 ff., is in many respects more informative than the acts, VOL. V, pp. 1018-24. The legates' two reports of 11 March, VOL. X, pp. 836 ff., do not go into details about the course of the congregation which, says Massarelli, *C.T.*, VOL. I, pp. 624 f., lasted four hours (15 h. to 19 h.) though in fact it lasted more than five hours since Alberti tells Madruzzo, VOL. X, p. 822, l. 1, that it only ended shortly before 3 in the afternoon (21 h. according to Italian reckoning).—There is no sufficient reason to regard Pacheco's discourse in Severoli's version, *C.T.*, VOL. I, pp. 140 f., as a subsequent combination of all the arguments brought forward by those who opposed the translation, as Ehses does, VOL. V, p. 1019, n. 1. While Pacheco argues almost exclusively as a jurist, the *schedae* of the Bishops of Castellamare and Badajoz stress the fact that the Council had not yet accomplished its task. Pacheco's proposal for the formation of a committee for the study of the situation is repeated by the Bishop of Astorga, VOL. V, p. 1023, l. 14, but fits perfectly into the framework of Pacheco's discourse. The text printed in VOL. XI, p. 129, from the Archives of Simancas, only gives the conclusion of the cardinal's explanations as the covering letter expressly states ("concluy mi voto", *ibid.*, p. 114, l. 20). Where could Severoli have found the indication of the numbers in Pacheco's "Information" if not in the vote?—Though no formal voting took place the relative strength of the votes was already evident and substantially identical with the vote of the next day: 40 votes for the translation, that is, the majority, though one of them (the Bishop of Porto) had the condition attached that the fact of the epidemic should first be established; 14 votes against the translation and 3 undecided, while the Bishop of Mirepoix abstained from voting. The Bishop of Cadiz insisted that the Pope should be consulted and the Bishop of Aquino demanded a delay of 4 to 6 days. Severoli, *C.T.*, VOL. I, p. 141, l. 26, counts 16 to 17 adherents of Pacheco, hence adds the 3 undecided votes to those of the minority.—With what care the imperialists watched the attitude of the French appears from the observations of Pacheco, the Bishop of Astorga and the crown jurists, *C.T.*, VOL. XI, pp. 115, l. 17; 116, l. 8; 117, l. 4.

the Council must not be dissolved. But since public opinion would regard a suspension as equivalent to a dissolution, the only practical alternative was a translation. But where to? If they considered that the Council must have an assurance of being received by the competent authorities of the locality selected, and that this locality must not be too distant from Trent so that a speedy return to that city remained possible, and that the locality must be in a position to offer sufficient accommodation and easy means for provisioning, only one city could be considered, and that was Bologna. "There can be no doubt", Del Monte went on, "of our meeting there with a joyous and respectful reception and it would be superfluous to expatiate on the suitability of that city, one of the first of all the cities of Italy." "If the Council moves to Bologna", the president continued, "it will only be three days' journey from Trent—the distance suggested by many; at Bologna it will be possible to hold the Session fixed for 21 April and to await the Pope's decision."

The position was now quite clear. The question for the Council was no longer "what should be done?" as on the day before, but whether or no to move to Bologna. As spokesman of the imperial group, Pacheco answered the question with an emphatic "No!" He began by querying the authority of the physicians' report and the existence of a dangerous epidemic. The investigation initiated by him had shown that up to this time typhus had only claimed a very small number of victims and that of the thirty-five sick people in the city at the moment only four or five were affected by it. The medical report had been manufactured *ad hoc* and did not conform to reality. This was proved by the fact that the local doctors had refused to append their names to it. This disposed of every legitimate ground for a translation. Why not set up a committee of three or four prelates for the purpose of investigating and clarifying the situation? Such a body would be in a position to put before the Council an impartial picture of the state of affairs. But even if it should establish the fact of the existence of a dangerous epidemic the objection remained that the decision for a translation could not be taken without express authorisation by the Pope, and even then it would have to be unanimous, so that a single contrary vote would suffice to prevent it. Unlike the crown jurists, Pacheco did not say that the Emperor's consent must also be obtained, or that the latter was entitled either to give or to withhold his consent, but he did point out that Trent had actually been chosen as the locality of the Council with the monarch's agreement so that the latter would not approve of a

change executed without his having been consulted. The replies of Pope and Emperor would arrive within six or eight days and there was no reason to fear that either of them would suggest their remaining at Trent at the risk of their lives. Why then not put off a decision for a few days?

Pacheco's address had been strictly factual and he had refrained from anything that might be interpreted as a threat. No less factual and moderate in their wording were the rectifications interpolated by the legates before the voting of the Fathers. "If the typhus epidemic is an invention of Fracastoro", they asked, "and only exists in the imagination of the legates, how comes it that the bells are no longer rung at Trent at the burial of the dead? Not only is the epidemic a fact, but Pacheco's juridical objections against a translation based on the existence of sickness are without value. There is neither legal necessity for a previous consultation with the Pope since the legates enjoy adequate powers, nor of unanimity: the decision of the majority is binding on all."

These rectifications by the legates did not prevent fourteen prelates from siding with Pacheco. Five of them went even further; they formally protested in advance against a translation. They were determined, they declared, to remain at Trent and to continue the Council there. In the written declaration which the Bishop of Badajoz, one of the five, placed with the acts, that excellent prelate gave full vent to his profound disappointment with what the Council had achieved so far. "How", he asked, "could Cardinal Cervini claim yesterday that the Council's main task is accomplished? Five out of seven sacraments have still to be discussed, as well as the sacrifice of the Mass, the primacy of the Pope, the authority of the Church, the veneration of the Saints, Purgatory, the vows of religion, clerical celibacy. As for the reform, so far next to nothing has been done. Above all, is it right that this Council, which was convened here at the request of the Emperor and the German nation, should be transferred to Italy at the very moment when the monarch's military successes raise the hope that Germany will be represented at the Council?"

Opposition on the part of the imperialists to the translation, and even a formal protest on their part, was to be expected. However, the great surprise of the general congregation of 10 March was the almost complete dissolution of the party of the advocates of a suspension. With only a few exceptions (the Bishops of Cadiz, Aquino) its members went over to the side of those who favoured a translation, with the

result that there was a two-thirds' majority of forty votes in favour of an immediate translation to Bologna. It is natural to ask, "How is so surprising a change to be explained?" We shall have to deal with the question more fully later on, but we may even now draw attention to the following explanations—all of which are possible.

It should have been relatively easy to win over those who were opposed to a translation previous to a consultation with the Pope; all the legates had to do was to inform them of the existence of a secret document in their portfolio which authorised them to transfer the Council. This document invalidated the argument which had undoubtedly proved decisive for the strict curialists, namely that an independent decision to move the Council would not be far short of recognising the superiority of the Council over the Pope. The other members of the middle party who had advocated a temporary suspension of conciliar activity had probably come to the conclusion that the execution of their proposals was bound to bring about the dissolution of the assembly which they were no less anxious to prevent than the legates. This argument would prove decisive especially in the case of prelates with a leaning to conciliar theory, for instance the Bishop of Sinigaglia. But once the idea of a suspension was dropped, a translation was the only alternative for those who accepted the medical report. Even non-Italians, such as the Archbishops of Upsala and Armagh, pronounced in its favour. On the other hand Claude de la Guiche, the only Frenchman present and recently raised to the see of Mirepoix, shirked a decision and abstained from voting. He was the only remaining bishop of the very small French delegation; the Archbishop of Aix lay sick and the Bishop of Clermont had left the city shortly before, recalled as he said, by his sovereign.

Sure as they felt of victory, the partisans of a translation had at first thought of following up the general congregation with a Session in order to put the decision for a translation beyond a doubt. Some of the prelates had even brought the requisite liturgical vestments in readiness for such a function. However, the meeting had been drawn out until the third hour of the afternoon so that the Mass of the Holy Ghost with which every Session had to begin could not be celebrated because it was so late in the day. The Session was accordingly put off until the following morning. In this way the leaders of the Council gained sufficient time for the interrogation, by the promoter of the Council, Severoli, of the nine witnesses on the spread of typhus and so to cross Pacheco's demand for the appointment of a committee for the purpose



of furnishing a documentary basis for the decision to translate the Council. But this was a grievous mistake. The statements made before Severoli by the witnesses were no substitute for an enquiry on a broad basis, with the participation of the opposition.

*Sessio* VIII opened on the morning of 11 March (14 h. = 8.15 a.m.) with the Mass of the Holy Ghost celebrated by the Bishop of Bertinoro, without the customary sermon, and solemnly confirmed the decision arrived at on the preceding day.<sup>1</sup> Once again the president gave a summary account of the circumstances that had led to it. Once more he insisted that it did not stem from the wishes or the will of the legates (*nos auctores aut persuasores esse nolle*), but that it was the result of a free determination of a conciliar majority. The legates had been prepared to remain at Trent at the risk of their lives if the majority decision had been in favour of the Council continuing in that city. But since the majority insisted on an immediate change of locality, and because a suspension would have been identical with a dissolution—a thing to be avoided in any circumstances—there only remained the possibility of a translation, and of a translation to Bologna, because that

<sup>1</sup> The acts of *Sessio* VIII on 11 March 1547, with the statements of the witnesses, *C.T.*, VOL. V, pp. 1025-36. The gospel was taken from Matthew x, 7-14 (not xxviii, 19 as Eshes emends), for on the imperial-side v. 14 of this pericope ("excute pulverem de pedibus vestris") was interpreted as a reference to Trent, *C.T.*, VOL. XI, p. xxxviii, l. 29. Severoli, VOL. I, pp. 142 ff., once more gives Pacheco's vote more fully and more accurately, as we gather from the latter's report, VOL. XI, p. 117. He also has the verbal exchange between Pacheco and the only Frenchman at the Session, the Bishop of Mirepoix (described as Bishop of Agde after his former see), to which the legates also refer in their report of 11 March, VOL. X, p. 838, l. 15. This report is a justification of the decision to translate the Council rather than an accurate account of the proceedings on which a letter of the same date to Verallo, *ibid.*, pp. 838 f., is far more informative. The letter to Dandino of the same day has apparently not been preserved. The anonymous abusive letter, probably the work of Pratanus, *ibid.*, pp. 884 ff., speaks for itself, while Abbot Luciano's letter to the Duke of Ferrara is much more reserved but obviously inspired by great anxiety, *ibid.*, pp. 882 f.—Massarelli also gives the result of the vote, *C.T.*, VOL. I, p. 625, l. 37, on the basis of the acts (39: 14); yet in the acts he counts the 5 split votes with those of the majority and arrives at 42: 14 (leaving out the legates' votes), VOL. V, p. 1035, l. 18. Severoli apparently does not count the votes of the legates and the generals of Orders and accordingly has 34: 14, VOL. I, p. 144, l. 7. Abbot Luciano has 38: 15, with 4 conditional votes, VOL. X, p. 883, l. 5. When Páez de Castro asserts in his letter of 3 April 1547 to Zurita, VOL. XI, p. xxxviii, that the *schedae* of the opponents littered the floor of the room, there can be no question of the vote at the Session since this was held in the church of San Vigilio; but that they were missed for a time appears from VOL. XI, p. 144, l. 23. On 13 March the French ambassador d'Urfé reports that the translation was "si soudaine qu'il estoit impossible d'avoir le temps d'en avertir V. M. ny aussi l'Empereur ny autres princes" (Ribier, *Lettres et Mémoires*, VOL. I, pp. 622 f.). He does not mention the Pope; he thinks the Council would have dissolved itself "pour la crainte de la mort" of the prelates. For the rest he makes no mystery of his delight at the event: "Vous en aurez le gré des deux parties du Pape et de l'Empereur."

city was able to meet all the demands that would be made upon its resources. For the sake of the preservation of the Council its members could not be left free either to stay or to go.

Severoli then called upon the notary of the Council, Claudius della Casa, to read the statements of the nine witnesses on the spread of typhus. The memorial of the physicians was placed, unread, with the acts, since it had already been submitted at the general congregation of 9 March. When this was done the president himself put to the assembly the two questions which constituted the subject-matter of the decree of the Session. (1) Is there agreement that in view of the outbreak of typhus at Trent the prelates cannot remain any longer in that city without endangering their lives and that they cannot and may not be detained here against their will? (2) In order to avoid the threatening dissolution, or the paralysing of the Council, is the assembly prepared to decide its temporary translation to Bologna, a locality suitable in every respect, there to hold the Session fixed for 21 April, and to go on with its task until such time as the Pope and the Council, in agreement with the Emperor, the most Christian King and the other Christian kings and princes, shall judge it opportune to return to Trent, or to remove to some other suitable locality?

The votes on these two questions, which were collected by the secretary of the Council and its notary, Claudius della Casa, were divided as follows: thirty-nine in favour of the translation, fourteen against it and five split votes. Thus the translation to Bologna commanded a two-thirds majority.<sup>1</sup> It is not the result, which was assured since the general congregation of the preceding day, but the formulation and the motives of the votes that call for closer examination.

<sup>1</sup> The decision of 11 March 1547 in favour of the translation commanded a two-thirds majority. The law did not require such a majority. Pacheco insisted on it solely on the strength of the decree *Frequens*, of Constance, *C.T.*, VOL. I, p. 143, ll. 25 and 30, and only in general terms, VOL. V, p. 1032, l. 42. In Spain this decree was thought to be valid in law. However, *Frequens* only speaks of a Council *already proclaimed* by the Pope. In that case the decree demands a two-thirds majority of the votes of the *cardinals* if a translation was to be made, Mansi, VOL. XXXIX, 1159: "Sed si forte casus aliquis occurret, quo necessarium videtur, ipsum locum mutari, puta obsidionis, gerrarum, pestis, aut similis, tunc liceat summo pontifici de praedictorum fratrum suorum (i.e. cardinalium) aut duarum partium ipsorum consensu atque subscriptione, alium locum prius deputato loco viciniorem et aptum sub eadem tamen natione subrogare", etc. Obviously then, supposing that *Frequens* remained valid—a hypothesis we do not grant—its prescriptions were not applicable in the present instance, so that it could not be appealed to, Jacobazzi, *De concilio*, VOL. III, p. 10 (cf. *C.T.*, VOL. V, p. 1019, n. 2); though in another place Jacobazzi demands a "causa gravis et legitima" for the translation by the Pope of a Council already assembled, cf. J. Klotzner, *Kardinal Dominikus Jacobazzi und sein Konzilswerk* (Rome 1948), p. 158.

The five split votes were the remainder of the middle party. Florimonte, Bishop of Aquino, in the kingdom of Naples, had evidently not been fully convinced either by the memorial of the physicians or by the statements of the witnesses, hence his *placet* was qualified by a reservation, namely "if what is said about the sickness is true". The vote of the Bishop of Cadiz was dependent on another condition: "If the presidents are cognisant of the Pope's intentions, I side with the majority." Neither of these votes could be counted with those of the majority. The votes of the Bishops of Sinigaglia and Porto were inspired by justified concern for the unity of the Council. The former added the following clause to his *placet*: "If the minority cannot be persuaded to accept the decision, and if there is a danger of a schism, I deem it right that we remain here." The Bishop of Porto spoke in similar terms: "What I am concerned about is not whether we should stay or go, but the unity of the Council." Abstention from voting, in the strict sense of the word, was only practised by the French prelate, as he had done on the preceding day. However, no sooner had Claude de la Guiche stated his opinion than Pacheco protested against the abstention and insisted on a clear "Yes" or "No". De la Guiche was not to be intimidated. He stuck to his *non liquet* even when the cardinal obstinately maintained the view that there were legal means to compel him to decide either for or against the translation. However, aware as he was of the political bearing of this abstention, the jurist Cicada immediately offered his assistance; in a college of judges, he maintained, it is perfectly permissible for an individual member to withhold his vote. Pacheco's attempt to compel the only Frenchman present to come to a decision had failed.

The opponents of the translation kept close together, as they had done at the general congregation of 10 March; not a single vote crumbled away from the opposition block, but a careful perusal of the votes nevertheless shows that the imperialists spoke with more self-imposed moderation than on the previous day. They could afford to do so for in the general congregation they had made it perfectly clear that they contested the existence of a legitimate ground for the translation, hence also the validity of the decision that would be taken, and that they would lodge a protest against it. They were not to be put off by the statements of the witnesses which, Pacheco objected, had been obtained by the promoter of the Council without his having been commissioned by it. They were, therefore, formally null, quite apart from the fact that their content was not convincing. It is not easy to

explain how Pacheco came to contest the fact of a two-thirds majority which, in view of the voting on 10 March, could no longer be called in question. His mistake, which it is possible to understand, was due to the fact that he looked with passionate eagerness for formal reasons against a translation, while he suppressed the political motive which in his case was the paramount one. The Archbishop of Sassari was much more impressive: "The translation", he said, "endangers the return of the erring Germans as well as the peace and unity of the Church." Only two members of the minority, namely the Bishops of San Marco and of the Canary Isles, insisted on the Emperor being consulted. Two others (the Bishops of Syracuse and of Calahorra) complained of the excessive haste of the whole of the proceedings. But what was most surprising was that the four bishops of the imperial group, that is the Bishops of Bosa, Castellamare, Lanciano and Astorga criticised the decision on the ground that it had been taken without a papal commission to that effect. If there was such a commission, the Bishop of Astorga declared, he was ready to go to Bologna, although that city could hardly be regarded as free.

The legates were gratified by the acknowledgment of the Pope's supremacy over the Council implied in the votes of these prelates. In their heart of hearts they may well have felt that of all the arguments against their action none was fraught with greater danger for themselves, for they had no specific command from the Pope. However, in order to prove to the Council that they held a general authorisation by the Pope, empowering them to translate the Council, they laid before the assembly, as soon as the voting was terminated, the Bull of 22 February 1545, which authorised them to transfer the Council to a place which, in their judgment, would be more suitable (*quandocumque vobis videbitur*), and to forbid those who remained behind to continue the discussions. Up to this time the existence of the Bull had been so close a secret that when Massarelli concluded the reading of it a breathless silence held the assembly. The authorisation to transfer the Council was two years old but it had never been revoked. No longer could anyone say that the legates had exceeded their powers and had acted in opposition to the view they had always upheld—that the Pope and the Council constituted one body. On the basis of this authorisation the president then confirmed the decision just arrived at, forbade anyone to contest it, and ordered all present to appear at the next Session, on 21 April, at Bologna. "Neither divine nor human law", he added, "neither Pope nor Emperor compel the members of the Council to risk their lives, and neither Pope

nor Emperor would urge them to do so; hence we declare that the translation of the Council to Bologna has been legitimately reached and must stand: here (at Trent) there is no longer a Council."

In the case of some of the Fathers of the Council the departure degenerated into a regular flight.<sup>1</sup> The last notes of the *Te Deum* had scarcely died away when they mounted their horses that had been kept waiting for them, or entered boats which were ready for them on the banks of the Adige, so great was their anxiety to turn their backs upon the city with all speed, while some set out on foot. One eye-witness—not an unprejudiced one it is true—claims to have seen one bishop who had not even taken time to remove his pontifical vestments but rode through the city in full pontificals, amid the jeers of the onlookers. However, the panic was by no means general; Lippomani, for instance, only left on 13 March, two days after the Session, and two prelates of the majority party, the Archbishop of Naxos and Benedetto de' Nobili, waited one day longer. The two Jesuits Salmeron and Lainez left the

<sup>1</sup> Anonymous's report on the flight from Trent, *C.T.*, VOL. X, p. 884; also *N.B.I.*, VOL. IX, pp. 656 ff. Juan Páez de Castro claims to have heard, VOL. XI, p. xxxviii, that some of the departing prelates turned towards the city and exclaimed: "Farewell you Marraños" ("allà quedados Maraños"); but he also asserts that the translation had been decided on the advice of an astrologer. Information about the departure of Lippomani and the Bishop of Porto, VOL. XI, p. 138; of the two Jesuits, *ibid.*, p. 156, l. 27. According to a letter to Giovanni della Casa, dated 30 March, from a secretary whose initials were J.B., Grechetto was also at Venice at this time, or at Padua, Bibl. Ricci 4, fol. 217<sup>r</sup>.—Massarelli's account of the journey of the legates to Bologna, *C.T.*, VOL. I, pp. 629-32, and VOL. VI, pp. 1, 4 f., is supplemented by the letters of the legates to Farnese, VOL. XI, pp. 135 f., 140 f., and the letter of the Bishop of Matera, *ibid.*, p. 136, n. 3. On the 14 March the legates wrote to Della Casa from Verona, Bibl. Ricci 4, fol. 127. The legates' uncertainty about the reception in Rome of the decision in favour of the translation, and that there was no question of "jubilation", as Druffel (*Sendung des Cardinals Sfondrato*, p. 318) imagines, appears from their remarks in *C.T.*, VOL. XI, pp. 141, l. 37; 145, l. 5. That their anxiety was justified we learn from the Bishop of Albenga's letter from Rome dated 2 April, *ibid.*, p. 152, n. 2. Meanwhile the consistory had decided for the translation on the 23rd (or 24th), VOL. I, p. 633.—In the list of those who had remained at Trent, *C.T.*, VOL. V, p. 1037, the name of the Bishop of Fiesole is missing, though it is certain that he was still at Trent at the beginning of April, since he and the other prelates still at Trent were summoned by the legates on the 12th to set out for Bologna, VOL. I, p. 638, l. 40; cf. VOL. XI, pp. 167 f., 142, n. 5. For the Bishop of Porto see also VOL. XI, pp. 134, l. 10; 151, l. 15; 156, l. 25; cf. J. de Castro, *Portugal no Concilio de Trento*, VOL. II (Lisbon 1944), pp. 316 ff. The Archbishop of Armagh's letter of 17 March from Trent which Buschbell failed to discover, *C.T.*, VOL. XI, p. 147, n. 1, was published by P. F. Moran, *Spicilegium Ossoriense* (Dublin 1874), pp. 30 f. In a letter to Pagni of 2 April 1547 (State Arch. Florence, Med. 384, fol. 3<sup>r</sup>), Camaiani asked for instructions because regular postal connection with Bologna had been interrupted so that regular reporting had become very difficult. The Pope's remark in the consistory on 23 (24) March "che dessi prelati erano restati, non motu proprio sed metu proprio" is found in the report of Ruggieri, the Ferrara agent in Rome, *N.B.I.*, VOL. IX, p. 528, n. 1.

city together but did not go direct to Bologna but to Padua, where Salmeron suffered so severe an attack of typhus that the doctors despaired of his life.

On the very day of the Session the legates sent a report to Rome of all that had taken place, informed the two nuncios, Verallo and Dandino, took leave of Cardinal Madruzzo by letter and announced their forthcoming arrival at Bologna. They left their luggage to come on by boat, and they themselves set out on the morning of 12 March, in the company of five bishops, their friends the Bishops of Matera, Vaison, Bertinoro, Alife and Minori. They took their midday meal at the Carmelite monastery of Rovereto to which the general of the Order, Audet, had betaken himself. They spent the night at Borghetto; on the 13th they reached Verona, where the city authorities and the nobility, headed by Count Lodovico Nogarola, awaited them. They stayed one day in the Olivetan monastery of Santa Maria in Organo to await the arrival of the members of their household and their luggage. When these failed to arrive they continued their journey on 15 March. At Roncanova they waited another day for their luggage, but in vain. On 18 March they embarked at Ostiglia on the Po, together with the Archbishop of Naxos and Benedetto de' Nobili who had awaited them there, and so journeyed as far as Ferrara where the Duke called on them at the hostelry of the Olivetans of San Giorgio. On the following day, again by boat, they reached the frontiers of the States of the Church at Mal Albergo. On the 20th they sailed down the Reno as far as Cortisella and from there, escorted by the *Governatore* of Bologna, the Bishops of Mallorca and Belcastro and representatives of the Bolognese nobility, they repaired to the Olivetan monastery of San Michele in Bosco, which was to be their residence until the lodgings they were to occupy at Bologna were ready for them. On 22 March Cervini, escorted by nine bishops, made his entry into the new conciliar city. Del Monte followed him four days later. He was suffering from one of his frequent attacks of gout, but the chief reason for his tardy arrival was probably of a different kind.

The fact was that Rome wrapped itself in complete silence and first reports from the imperial court were highly disquieting. In the complete uncertainty as to how their independent action had been viewed by the Pope, the legates excused it by pleading the shortness of time and offered to justify themselves in person in Rome. To the Pope they suggested that he should "dividere il fatto dell' affare", that is, that while he recognised the translation as legitimate he should himself

keep a free hand with regard to its political aspect. "There is only one thing that we take leave to say boldly, namely that it is our opinion that if the translation is valid in law, it may not in any circumstance be invalidated by His Holiness." In this sentence the legates betray all the uncertainty and the grave anxiety as to how their action would be appreciated in Rome. Their anxiety would have been far greater if the Bishop of Albenga, who had hastened to Rome, had informed them at once of the chilly atmosphere that prevailed there at first. It was no less a disappointment for them that the bishops of the majority party were in no hurry to make their way to the new locality of the Council. On 18 April, three days before the Session, only seventeen had put in an appearance.

The minority that had remained at Trent numbered fourteen prelates. Besides Pacheco they were the five Spanish Bishops of Badajoz, Astorga, Calahorra, Huesca and the Canary Isles. To them must be added the Archbishop of Sassari in Corsica and the Bishop of Bosa in Sardinia, both of them of Spanish origin, as were the Bishops of Castellamare and Lanciano in the kingdom of Naples. The Archbishop of Palermo and the Bishops of San Marco and Syracuse were Italians but vassals of the Emperor. Of all those who had stayed behind, the Bishop of Fiesole was the only one who had no connection with the imperial party, either by reason of his origin or of his political allegiance. The imperial party almost succeeded in persuading the Bishop of Porto, Balthasar Limpus, a Carmelite, to stay behind. In the Session he had been one of the undecided, but as soon as it was over he had arranged to go to Verona on 2 March, in the company of Lippomani, whom he had come to know during the latter's nunciature in Portugal. His luggage had already been put on board ship when the Spaniards persuaded him to remain for the time being. He justified his conduct by pleading that his sovereign, the King of Portugal, had sent him to Trent and had instructed him to join the party of the imperial prelates. Steps were immediately taken in Rome to get the Portuguese ambassador, Balthasar de Feria, to order the bishop to proceed to Bologna. When one of his servants died from typhus before the end of March, Limpus set out for Padua and from there went to Venice; he had made up his mind to bide his time and wait for events. The Frenchman Claude de la Guiche, Bishop of Mirepoix, acted in like manner: he betook himself to the court of the French princess Renata at Ferrara, while waiting for instructions from his government.



(Photo Alinari)

DIEGO DE MENDOZA

*After a painting by Titian in the Galleria Pitti, Florence*





If the minority at Trent consisted almost exclusively of Spaniards and of vassals of the Emperor, the majority section then gathering at Bologna was made up of Italians and such prelates as were financially dependent on the Curia. At Trent they waited for the Emperor's word, at Bologna for the Pope's; in neither locality was the situation very promising. The Archbishop of Armagh, who was still in Trent on 17 March, did not get the impression of the existence of any schismatic tendencies in the group of imperial prelates. A number of them had assured the legates of their loyalty at the moment of the latter's departure. It would surely be going too far were we to imagine that their decision to remain at Trent was prompted by fear of the Emperor. They sincerely believed that typhus was not an adequate ground for a translation and felt it to be their duty to wait for an expression of the Emperor's will. Though there was no doubt about his disapproval of the translation, it was not evident what counter-measures he would judge desirable. Should the minority, once it had made up its mind that it was not bound by the translation, constitute itself into a rump-Council?

No less uncertainty prevailed at Bologna up to the end of March. The decision to transfer the Council had been arrived at in forty-eight hours; but now the risks which had been so lightly accepted before their full extent had been considered, began to make themselves felt. The translation seemed to have come about as an independent act of the Council. But was it really as autonomous as the leaders claimed and the majority imagined it was? The decision may have been taken at Trent, but did not the determination originate elsewhere? Perhaps in Rome?

The weighty consequences of this step demand a critical examination of our account of it. We accordingly take up once more the decisive points in order to link up with them such questions as force themselves upon the attention of the historian.

(1) The sickness which was alleged as the motive for the translation was no fiction. The opposition treated it as such because it would not give credence to the realisation by a great physician, one far ahead of his time, of the fact that typhus was a dangerous infectious disease which demanded precautionary measures. Hence the existence of a legitimate motive (*legitima causa*) in the canonical sense cannot be denied. But it does not follow that this was the only motive for the translation, still less the chief one. From all we know of the legates' earlier plans for a translation and of the Italian prelates' weariness of the Council, but above all the change in the papal policy since the beginning

of the year 1547, other additional motives are not only possible but probable.

(2) Our sources show that the legates had made no advance preparations for such a step. The Bishop of Capaccio died of typhus on 6 March, but it was only on the 9th that the legates initiated a discussion as to whether any conclusions were to be drawn from the outbreak of the sickness. Besides the advocates of a translation and its opponents there was a strong group who thought that a temporary suspension of conciliar activity would be an adequate preventive measure against the danger of infection. This group disintegrated almost completely on the following day and an overwhelming majority pronounced in favour of translation. When we attempt an explanation of these facts a number of questions arise at once: Why did not the legates open the discussion immediately after the Bishop of Capaccio's death, but allowed three days to go by? Was it because of a rapid spread of the disease? We have found no convincing proof of its being so. Did they get orders from Rome during that interval, or at least a hint? What motives decided the middle party to pronounce in favour of a translation on 10 March?

(3) The legates declared repeatedly, and in a striking manner, that they did not want to be regarded as the originators of the translation, and they likewise repeatedly stated their readiness to comply with the will of the majority. Was this indifference mere pretence or was it genuine? In other words: did the initiative actually come not from the legates but from another quarter, and if so, from which?

The most obvious answer to all these questions would be to say that between 6 and 9 March the legates received secret instructions from Rome which caused them to make of the outbreak of sickness at Trent the pretext for their surprising proposal of 9 March which also induced the middle party to give up its opposition on the following day. As a matter of fact a message did come from Rome on 7 March, but we are not fully acquainted with its contents; all we possess is the document recalling Del Monte dated 2 March and a letter from Maffeo to Cervini dated 3 March, but not the letter addressed to the legates jointly, which in all probability arrived by the same post. Did it contain a papal command, or at least a hint that they should transfer the Council?

The imperialists were firmly convinced of the existence of such an order or hint from Rome.<sup>1</sup> The Spanish crown jurists claimed to have

<sup>1</sup> The imperialists' suspicion that the legates were acting under orders of the Pope, *C.T.*, vol. XI, pp. 114, l. 30; 115, l. 35; 134, l. 21, was shared by the Emperor himself,

overheard a remark to that effect by Cervini in the course of the conference with the legates on the evening of 9 March. They heard what they wished to hear, for in our sources there is not the slightest trace of a papal order of this kind whereas there are solid grounds for denying its existence. To begin with, in the above hypothesis Del Monte's request for his recall would have been perfectly meaningless. Moreover, how could the legates' report of 11 March start by saying that the news of the translation would come as a great surprise for the Pope and his nephew ("si maravegliaranno")? When in the Session several members of the opposition (for instance, the Bishops of Castellamare and Astorga) based their rejection of a translation on the absence of a papal order, why did not the legates produce that order from their brief-case instead of a two-year-old authorisation for such a move? Why, before making their entry into Bologna, were they so anxiously waiting for a word of approval from the Pope and at the same time protesting their readiness to present themselves in Rome in order to justify their conduct? If they had a written mandate in their hands, an explanation in Rome was superfluous; yet when they were reproached for having acted independently in so grave a matter, whereas they had invariably consulted Rome in the smallest matters, they defended themselves with the simple statement: "There was no time for consultation!"

However, there is yet another possibility which we must examine, namely that the Pope's order may have been given by word of mouth. Sarpi claims to have unveiled the mystery of the secret message. One of Del Monte's familiars was despatched to Trent immediately after *Sessio* VII and through him the Pope instructed the legates to transfer the Council to Bologna, but to do it in such wise as to make it appear that it was their own work ("operare che fosse fatto da' legati come da loro").<sup>1</sup> "Cervini", Sarpi writes, "hesitated at first, but the bolder

*N.B.I.*, VOL. IX, p. 537. The passage in the legates' letter of 11 March that the Pope would be surprised on hearing of the translation is in *C.T.*, VOL. XI, pp. 143 f.; the remark that there was no time to consult Rome, *ibid.*, p. 142, l. 42. I grant that in Sarpi's theory the keeping back of an order that may have existed can be explained, but the force of the argument depends on its connection with the rest.

<sup>1</sup> Sarpi, *Istoria del Concilio Tridentino*, BK II, ch. 10, ed. Gambarin, VOL. I, pp. 427 f.; Pallavicino, *Istoria del Concilio di Trento*, BK IX, ch. 13, ed. Zaccaria, VOL. III, pp. 54 f. The suspicion "che M. Giuliano Ardinghella sia stato il Mercurio" is mentioned by Bianchetti writing to Della Casa on 19 March 1547, Bibl. Ricci 5, fol. 231<sup>v</sup>. The letter to Del Monte accrediting Ardinghella, *C.T.*, VOL. X, p. 831, n. 2. Besides offering condolence on the death of Madruzzo's brother Aliprando, he was charged with yet another mission, namely to sound the cardinal about a journey to the imperial court, *N.B.I.*, VOL. IX, p. 497, *note*. But as the legates informed Della Casa on 12 March, Bibl. Ricci 4, fol. 129<sup>r</sup>, he only passed through Trent on the 11th: "M. Giuliano

Del Monte carried out the order in the greatest secrecy, using the epidemic as a pretext." Pallavicino recognised this story for what it was and refuted it, but it is nevertheless based on a fact round which Sarpi spun his tale. On 6 March a "gentilhuomo" actually left Rome for Trent. He was Giuliano Ardinghello, a brother of the cardinal of the same name and a member of the court of Cardinal Farnese. His mission was to offer Cardinal Madruzzo Farnese's condolence on the death of his brother Aliprando. In imperialist circles in Rome it was, however, whispered that besides this official mission he was charged with yet another—none other than the Pope's hint to the legates to transfer the Council to Bologna. If Ardinghello had travelled with the same speed as a courier he could have been at Trent on 9 March, but as a matter of fact he only got there on the 11th, not on the 3rd, as Sarpi alleges, hence after the Session at which the translation was decreed. Thus there can be no question of his having been the bearer of a secret message which would have led to a translation.

It follows that the plan for such a move must have originated at Trent. The question is "with whom?" Was Del Monte the driving power, as Sarpi would have us believe, or was it Cervini? Or must we likewise reckon with the high curial officials whose activities we have followed up from the last days of November 1546?

If we refuse simply to brush aside the legates' repeated declaration that they did not want to be the authors of the translation—and there is no cogent reason for our doing so—if, moreover, we consider the state of mind of the general congregation on the 9th and its reversal on the 10th, the most obvious explanation is that the plan for the translation originated in the anxiety of a number of Italian prelates to guard themselves from typhus and to escape, on this plea, from the depressing atmosphere of Trent. The medical report gave them their chance. If the legates had been content to listen to their wishes and had left the suspension of conciliar activity as well as permission to leave the city to a conciliar decision, the Council would have scattered in every direction and no one would have been able to tell when a quorum could once more be brought together. In that event Cervini's plan for the termination of the Council within the next few months could not have been given effect. If the Council was to be saved from dissolution there was no other means than a translation. When they insisted that

Ardinghello passò de qui venerdì . . . dicendoci esser mandato dal R<sup>mo</sup> Farnese al R<sup>mo</sup> di Trento"; hence Ardinghello's sojourn at Trent on 13 March mentioned by Pacheco, *C.T.*, VOL. XI. p. 134, l. 22, was on his return journey.

in no circumstances must the Council be allowed to disintegrate, the legates, without any previous determination to propose a change of locality, nevertheless turned the minds of the Fathers in that direction. From all we know of Cervini's plan for the Council, it was he, not Del Monte, who by this time had been relieved of his duties, who on 10 March brought about the change from a suspension to a translation. It fitted in extremely well with his plan for a speedy termination of the Council, regardless of Germany. At Bologna there could be no repetition of the incidents which at the end of July, after the outbreak of the war of Schmalkalden, had enforced a prolongation of the stay at Trent, and at Bologna Cervini would be further out of reach of the Emperor's vengeance, with which he had been threatened at that time. Nor must we completely exclude the possibility that Filippo Archinto, the Pope's Vicar General, who had already on 9 March suggested a translation and who produced two of his familiars as witnesses to the risk of typhus, had likewise influenced the legates in favour of a translation. But he can hardly have been the originator of the idea, since more than six months earlier, in a confidential letter to Maffeo dated 26 June 1546, Cervini had suggested a transfer to Bologna for the duration of the war of Schmalkalden. On that occasion he was told that the time was not yet! All the later plans for a suspension or a translation had failed, not only because the legates shrank from assuming responsibility for such a step, but likewise on account of the Pope's hesitation. Since the completion of the decree on justification Cervini felt so sure of the Pope's trust in him that he dared what he did not dare in the summer of 1546, that is, to act without previous consultation of Rome. He could take it for granted that the translation would fit in with the Pope's political plans and would meet with his subsequent approval. The Emperor was right when in a bitter tone he told Verallo at the latter's first audience after the translation: "This is the work of the Cardinal of Santa Croce."<sup>1</sup>

<sup>1</sup> Cervini's proposal on 26 June 1546 to transfer the Council to Bologna for the duration of the war, *C.T.*, VOL. X, pp. 541, l. 10; 542, l. 6; Farnese's answer, *ibid.*, p. 549, l. 13. The Emperor's complaint: "This is the work of the Cardinal of Santa Croce", *N.B.I.*, VOL. IX, p. 538. Soon after the translation Cervini's step-brother, Romolo, congratulated the cardinal: "te tandem Tridento ereptum tamquam e carcere evolasse eoque incolumen pervenisse unde liberioribus quodammodo oculis celum suspicere possis." The undated letter must be placed in March 1547; it is printed by L. Dorez in *Revue des Bibliothèques*, v (1895), p. 175.—Pastor, VOL. V, p. 610 (Eng. edn. VOL. XII, p. 355), also describes the translation of the Council to Bologna as over-hasty. Brandi, *Kaiser Karl V*, VOL. II, p. 384, describes the express authorisation by the Pope as a mistake and admits that the Curia hesitated for a long time. Ranke's exclamation is found in his *History of the Popes* (Leipzig 1878), p. 135.

The reconstruction of the process of the translation as here presented cannot claim to be based on conclusive proofs: for all that it offers a plausible explanation of the sources which is not countered by any irrefutable arguments. The view of the imperial party at Trent, which is also maintained by Sarpi, that the Pope was the immediate originator of the translation, has been abandoned not only by Pastor but also by Brandi. That view postulates a papal commission of the existence of which there is no proof whatever, whereas there are solid arguments against it. Even if we assume that every trace of such a commission had been successfully removed from the official correspondence, it is not very likely that the group of the initiates would have guarded the secret so strictly, and kept up the deception so consistently for several weeks that not an inkling of the truth ever leaked out, while it is altogether improbable that the sudden arrival at Trent of a Roman messenger would pass unnoticed, or that none of the guardians of the city gates, or some local member of the opposition party who saw him, would report the stranger's arrival. But if the decision for a translation originated at Trent its author can hardly have been anyone but the legate Cervini with whose conception of the Church and the future of the Council such a decision coincided to perfection. The scheme came to a head as a result of the outbreak of typhus and the wish of the Italian majority to escape both from the danger of infection and from a locality that was hateful to them. There was no double-dealing at Trent—but a grievous and fateful mistake was made.

The translation to Bologna crossed the great plan of which the Council was one of the elements from the beginning, and this at the very moment when the Emperor's military victory over Schmalkalden opened the door for its realisation. If the Pope approved and upheld it, relations between him and the monarch would be definitely broken. The latter would never succeed in persuading the German Protestants to recognise, or to send representatives to a Council held in a city of the Papal States, and it would be equally impossible to enforce in Germany a Church reform decreed at Bologna. The dissension between Pope and Emperor which now broke out proved the salvation of the German Protestants at the moment of their greatest peril. "It is wonderful", Ranke exclaims justifiably enough from his point of view, "it is wonderful how once again dissension between the Papacy and imperialism, provoked by the former's political attitude, came to the rescue of the Protestants!" The *Interim* of Augsburg was an expedient compromise; the belated return of the Council to Trent under Julius III was no

compensation for a Council in actual session at Trent in the hour of the Emperor's triumph. The preservation of the Catholic faith and the reform of the Church in the Latin countries was assuredly at that moment the most pressing aim of the Papacy and of the Council convoked by it, as it was likewise the one most easily attained. So much Cervini saw clearly. But he was wrong when he thought that for the time being Germany had to be regarded as lost. The subsequent renewal of German Catholicism gave the lie to this judgment. We do not lose ourselves in a labyrinth of speculations about historical possibilities, but start from assured facts, when we maintain that if there had been no translation of the Council of Trent to Bologna, the German schism might have had a different issue. ✓



## Liturgical and Spiritual Life. Expenditure and how it was covered

AT the Council of Constance, during the absence of the Emperor Sigismund (1416) there was a daily conciliar Mass in the minster at which, in the words of the chronicler Ulrich Richental,<sup>1</sup> "a learned man of godly skill rose up to preach". This daily function was assuredly not a permanent institution, but it is certain that at Constance, by order of the Council, there was a solemn High Mass on all Sundays and holy days and at these Masses there was also a sermon. At the Council of Basle there was also a High Mass on Sunday and, as a rule, a sermon, as is attested by Bruneti's *Manual*. Besides the great solemnities, the feasts of the great Saints of the religious Orders were also observed, for example those of St Thomas Aquinas, St Bernard of Clairvaux, St

<sup>1</sup> Mass and sermon at the Councils of Constance and Basle: the assertion of Ulrich von Richental, *Chronik des Konstanzer Konzils*, ed. M. R. Buck (Tübingen 1882), p. 86, that at Constance there was Mass and sermon daily has been described as an exaggeration by Finke, *Acta conc. Constantiensis*, vol. II, p. 374; P. Arendt, *Die Predigten des Konstanzer Konzils* (Freiburg 1933), p. 20, would restrict Richental's statement to "general prayers, or to Sundays". I see no reason for this, for the chronicler obviously speaks only of the time when the Emperor Sigismund was absent and for that period there were motives enough for daily conciliar services. As we read Richental's chronicle one regrets that no eye-witness of the Council of Trent has left us similar detailed descriptions of arrangements. The description of the solemn functions takes up the greater part of Richental's chronicle. In the diaries that have come down to us we also miss a full account of the conciliar sermons, such as we get for the months of February and March 1415 in the fragmentary diary published by A. Knöpfler in *H. J.*, XI (1890), pp. 267-83. For the liturgical arrangements at the Council of Basle, I have gone through the whole of Bruneti's *Manual* for the ecclesiastical year 1432, *Conc. Basiliense*, vol. II, pp. 49-300. At a later date Bruneti passes over the Sunday and Thursday services for which regular turns were observed. A short but impressive description of the "ceremonies of a mighty nature" and of the great impression they made on the contemporaries, is found in R. Wackernagel, *Geschichte der Stadt Basel*, vol. I (Basle 1907), p. 497, cf. also P. Lazarus, *Das Basler Konzil* (Berlin 1912), pp. 297-301. Of the conciliar liturgy at the fifth Lateran Council very little is to be got from the acts of Antonio Del Monte, and even less from the diary of the master of the ceremonies, Paris de Grassis (ed. A. Armellini, Rome 1884). The only interesting thing he has to tell us (p. 9) is that the Pope officiated at Christmas, Easter and on the feast of SS Peter and Paul; according to ancient custom the six cardinal-bishops officiated on the six principal feasts (the Circumcision, Epiphany, Maundy Thursday, Ascension, Pentecost, All Saints).

Francis of Assisi, as well as a number of feasts of the Blessed Virgin Mary and other feasts of Saints (e.g. Our Lady's Nativity and her Immaculate Conception, St Michael, St Jerome). After November 1432 there was a High Mass in honour of the Holy Ghost every Thursday in the minster with prayers for the happy progress of the Council.

In accordance with its intention to differentiate itself from the two reform Councils of the fifteenth century, the Council of Trent did not model itself on the rich, colourful, liturgical life of those congresses but chose to abide by the liturgical laws of the papal court by whose commission the legates exercised presidency and leadership. As Massarelli records in his *Ordo celebrandi Concilii Tridentini*, written after the conclusion of the Council,<sup>1</sup> that assembly followed the liturgical order of the *Cappella papalis*. Apart from the Sessions and the Low Mass of the Holy Ghost at the beginning of the morning general congregations, there were official conciliar functions at which the prelates, theologians and diplomatists were wont to assist on all the great feasts observed in the *Cappella papalis*. On the most solemn feasts the High Mass was celebrated by one of the legates, on other days one of the bishops would officiate while the sermon, which usually accompanied the Mass, was preached by one of the prelates or by one of the conciliar theologians. On Ash Wednesday, Candlemas Day and Palm Sunday the president himself distributed the ashes, the candles and the palms, and on the feast of Corpus Christi he officiated at the procession. There was also a conciliar service, Massarelli tells us, on the anniversary of the election and coronation of the reigning Pope, for the public concerns of Christendom, on the occasion of the election, or the death, of a Christian monarch and at the funeral of a member of the Council. Massarelli furthermore relates that on all Sundays either one of the bishops or a theologian preached in the cathedral, in Latin,

<sup>1</sup> In Massarelli's *Ordo celebrandi Concilii Tridentini* (Theiner, *Acta genuina*, p. 13) the last chapter (c. 14) treats: "De missis et aliis sacris celebrandis." For the *Ceremoniale Romanum*, which was authoritative at Trent, see VOL. I, p. 576, n. 2, of this work. The diaries of the papal masters of ceremonies, *C.T.*, VOL. II, pp. cxiii f., which might have provided material for a comparison, I have not been able to examine. Unless otherwise stated, my account of the sacred functions is based on Massarelli's *Diarium I* and *III*, but here also the *argumentum ex silentio* must be used with discretion. For instance Massarelli says nothing about Candlemas day 1546 in *C.T.*, VOL. I, p. 475, but on p. 609 he refers to the observance of that day in 1547. From Manelli's account-book we learn that the required quantity of candles was bought at Venice in 1546, Calenzio, *Documenti inediti*, p. 6.—The general congregation of 18 December 1545 arranged for a weekly Mass "in collegiatis ecclesiis"—hence not for the entire Council—and the Bishop of Feltre suggested Thursday as a suitable day, *C.T.*, VOL. IV, pp. 533; 539, l. 11. This led to the decision of *Sessio II*, *ibid.*, p. 555, l. 8.

or in the vernacular. This was followed by a Mass said by one of the assistant clergy and a procession round the open space in front of the cathedral during which a litany was sung. On the procession's return to the cathedral prayers were offered for peace, for the unity of the Church, the removal of heresies and for a happy issue of the Council.

The question may be asked: Was this liturgical order, as described by Massarelli, already observed in the first period of the Council?

An examination of the sources which contain some information about the liturgical life of the Council, confirms the picture given in Massarelli's diary as to its chief features, with the exception, however, of the conciliar High Mass on Sundays out of Advent and Lent. In *Sessio* II the Council had decreed that every Thursday there should be a Mass of the Holy Ghost at the cathedral followed by a litany, for the Council, though its members were not expressly bidden to be present; but nothing is said about a regular Sunday liturgical function. It would be over-hasty to conclude from this silence of contemporary sources about a regularly recurring event, that it did not take place. On the other hand it is most unlikely that a regular Sunday service, ordered by the Council, especially if it was accompanied by a sermon and a procession round the cathedral square, should never have provoked any incident and so furnished an occasion for observations in diaries and letters. Until proof to the contrary is forthcoming we must assume that in this place of his *Ordo* Massarelli describes the practice of the last period of the Council, not the first. On all other points his data are confirmed by our sources.

In the opening Session the senior in rank among the legates, Del Monte, since 1543 Cardinal-Bishop of Palestrina, had officiated at all the liturgical functions, with the exception of the Mass of the Holy Ghost. On Christmas Day, the solemn Vespers and the pontifical High Mass were taken over by the second legate, Cervini. But while in the later period Del Monte officiated very frequently, especially on all the great solemnities, we meet Cervini as celebrant on only one more occasion, that is on New Year's Day 1547. Cardinal Pole could not be considered in this connection since he was only in deacon's order. On the feast of St Stephen and that of St John the Evangelist (26 and 27 December) the Bishops of Badajoz and Palermo respectively officiated at the conciliar High Mass. On the other hand there was no conciliar Mass in the cathedral on the feast of the Holy Innocents, the reason being that on that day the relics of the boy-martyr St Simon were venerated by the people and the members of the Council in the church

of St Peter.<sup>1</sup> The next conciliar functions on the feasts of the Circumcision and the Epiphany were once more carried out by members of the assembly, namely the Bishops of La Cava and Ivrea respectively. The blessing of the candles on Candlemas Day, that of the ashes on Ash Wednesday, and that of the palms on Palm Sunday, was performed by the president. All Sundays in Lent were marked by a High Mass sung by one of the bishops and by a sermon preached by one of the theologians, the ordering of which will be described presently. During Holy Week and Easter Week every form of conciliar activity came to a standstill. With the exception of the bishops of the neighbouring dioceses who left Trent in order to carry out their pastoral duties, the members of the Council, prelates and theologians, concentrated on the glorious liturgy of Our Lord's Passion and Resurrection, and the reception of the sacraments. In the course of the last general congregation before the Easter break, 15 April 1546, the legates announced that in virtue of a papal indult the indulgence attached to the Roman stations could be gained in the church of the Poor Clares of Sta Trinità, close to the Palazzo Girolidi, the legates' residence.<sup>2</sup> The members of the Council as well as great numbers of the faithful of the city and the neighbourhood eagerly availed themselves of this privilege.

For the celebration of the liturgy of Holy Week and Easter<sup>3</sup> an agreement had been come to with the cathedral chapter to the effect that the Roman liturgy would be used during Holy Week and that of Trent at Easter. At Matins on Wednesday, Thursday and Friday in

<sup>1</sup> On Holy Innocents' Day (28 December 1545), in St Peter's church, when one of the chaplains sang the Mass, Cervini, Pole and some other prelates were present, *C.T.*, VOL. I, p. 361, l. 8, but it was not an official conciliar function. The feast of the boy-Saint, Simon, said to have been murdered by the Jews in 1475, was kept on 24 March, but it only got into the Roman Martyrology after the Council, in 1584, *L.Th.K.*, VOL. IX, p. 579.

<sup>2</sup> The brief of 9 April 1546, which granted the Roman Station Indulgences to those who visited the church of Sta Trinità from the beginning of Lent till Low Sunday, *C.T.*, VOL. V, p. 119, only arrived at Trent on 15 April, VOL. X, p. 449. On the 21st Madruzzo and "all the prelates" repaired to the church after Matins in order to gain the Indulgence, VOL. I, pp. 52, l. 2; 538, l. 34; for visits on the following days, *ibid.*, pp. 539, ll. 10 and 43; 540, l. 4. The legates suggested that Rome should grant the same privilege in the following year, VOL. X, p. 810, l. 4.

<sup>3</sup> The celebration of Holy Week and Easter 1546, according to Massarelli's *Diarium III*, *C.T.*, VOL. I, pp. 538-41; for completeness *Diarium I* for 1545 has been drawn upon, *C.T.*, VOL. I, pp. 168 f. The "libellus maior" there mentioned (p. 168, l. 30), on the liturgical customs of the cathedral of Trent during Holy Week, has apparently not been preserved. The preacher on Good Friday, Figliucci, is perhaps identical with Felice Figliucci who on 24 June 1546 sent a book to the Duke of Florence through Camaiani, State Arch. Florence, Med. 380, fol. 98<sup>r</sup>. Pacheco did not take part in the Holy Week ceremonies but withdrew to the Franciscan Convent of San Bernardino, *C.T.*, VOL. I, p. 538, l. 29.

Holy Week the Council's singers sang the lessons of the first nocturn and those of the cathedral the lessons of the second and third nocturns. On Maundy Thursday the Archbishop of Palermo consecrated the Holy Oils while the Mass was sung by the Bishop of Huesca in presence of forty prelates. Massarelli tells us that he visited the churches of the city in order to pray before the Blessed Sacrament exposed in them. The liturgy of Good Friday was carried out by the Bishop of Cava and that of Holy Saturday by the Bishop of Badajoz. Every evening, at the end of Matins, the prayer *Respice* was recited by Del Monte. On Maundy Thursday, after the Communion of the Mass, he carried the Blessed Sacrament to the altar of repose, followed by all the prelates and the cathedral chapter, all carrying lighted candles. The Good Friday sermon was preached by the Sienese Figliucci in the presence of the whole Council. At the veneration of the cross Massarelli was joined by the physician of the Council.

In accordance with German custom the Easter solemnity began on the afternoon of Holy Saturday in the church of the Blessed Trinity, with the office called "The celebration of the Resurrection", when the hymn *Salve, festa dies* was sung. On the morning of Easter Day itself Madruzzo, in his capacity of local bishop, celebrated the High Mass according to the Tridentine rite, "devoutly, reverently, ceremoniously", says Massarelli. The latter had the honour of carrying the relic of the arm of St Vigilius, the patron of the diocese, in the procession which preceded the pontifical High Mass. Before the gospel a German hymn was sung. At the *Lavabo* the nobility took their part. Niccolò, the cardinal's brother, poured the water over his hands and five of the prince-bishop's feudal tenants held the towel with which he wiped them. The pontifical blessing was given before the *Agnus Dei*. The legates assisted at the function in their red robes as cardinals, hence not *pontificaliter*.

On Easter Monday the High Mass was once more preceded by a procession round the cathedral square of the chapter and all the clergy of the city, during which, in keeping with local custom, alms were collected for the *monte di pietà*. The Council did not take part in this procession; it contributed, however, to the alms and assisted at the pontifical High Mass which followed, the celebrant being the Bishop of Ascoli. On Easter Tuesday the solemn function took place in the church of St Peter—the Germans' church. The celebrant of the High Mass was the Bishop of Vaison. The sermon was preached by Cornelio Musso, not in Latin as was the custom, but in Italian. Afterwards Madruzzo entertained all the prelates, the ambassadors and the canons

of the cathedral to a splendid banquet (*lautissimum splendidissimumque*) in the great hall of the castle. The Easter celebrations ended on the Saturday of that week with a High Mass at Sta Maria Maggiore, celebrated by the Bishop of Lanciano, at which Madruzzo's court preacher delivered a sensational discourse to which we shall have to revert presently. Strangely enough our sources make no mention of a conciliar High Mass on Low Sunday.

The sacred functions of the feasts of the Ascension, Pentecost and the Blessed Trinity conformed to custom. The same prelate officiated at Vespers on the previous day and at the Mass of the feast itself, and each time the celebrant was an archbishop (the Archbishops of Corfu, Naxos and Siena), while the sermon was preached by conciliar theologians—two Frenchmen and one Spaniard. For Corpus Christi duties were divided: the Bishop of Cambrai officiated at Vespers and at High Mass, the sermon was omitted and the president carried the Blessed Sacrament in the procession. The imperial ambassador, Francisco de Toledo, walked between the Archbishops of Aix and Sassari. On the feast of SS Peter and Paul, Del Monte himself officiated at Vespers and at Mass. The illumination of the legates' residence on the vigil and a display of fireworks on the evening of the feast itself, were in keeping with Roman custom and served to emphasise the special character of the feast.

The long pause between the feast of SS Peter and Paul and that of All Saints, which was due to the custom of the Curia leaving Rome in the summer for a stay in the country, was also observed at Trent, but the interval was filled with a whole series of extraordinary liturgical functions which illustrate the intimate connection of the Council with current events. Charles V's birthday, on 24 February, was only marked by a High Mass arranged by Cardinals Madruzzo and Pacheco, in the church of Sta Maria Maggiore, not by an official conciliar function in the cathedral, but the processions of intercession ordered by the legates in August and September 1546 for the Emperor's victory in the war against Schmalkalden bore a conciliar character, were it only that they were connected with the gaining of the jubilee indulgence promulgated by the Pope. On 19 August the procession, in which the Council and the regular clergy of Trent took part, went from Sta Trinità to Sta Maria Maggiore, where the Bishop of Badajoz celebrated the Mass and the Bishop of Bitonto preached from Ps. XLV, 2 (XLVI, R.V.): "God is our refuge and our strength." This procession was repeated on the feast of the Nativity of the Blessed Virgin Mary (8 September), but on 10, 11 and 12 September there was only a Mass and a litany at Sta

Trinità, in the presence of the legates and "many prelates" but not of the whole Council. When towards the end of the year news came of the Emperor's successes in Germany, the surrender of Ulm, an imperial city, was made the occasion for an official service of thanksgiving in the cathedral on 2 January 1547, by order of the Council. The Bishop of Castellamare officiated at the function. Previously to this, Fonseca, one of the prelates of the imperial group whose political profile is most sharply defined, had sung a pontifical High Mass in the cathedral on 5 August 1546, when Del Monte solemnly handed the red hat to Pacheco. Like this function, the exequies on 8 February 1547 for Anne of Hungary, the wife of Ferdinand I, who had died on 27 January, also bore an official character. On this occasion the Mass was celebrated by a bishop of the Emperor's hereditary states, namely the Archbishop of Palermo, "solemnly, with great pomp". In view of the great number of Germans present at the service, the funeral oration was preached by a German priest in German. This, as far as we know, was the only conciliar sermon to be preached in that language. In accordance with the practice of the papal court the anniversary of the election of the reigning Pope (13 October) and that of his coronation (3 November) were observed with a conciliar Mass in the cathedral. On both occasions the palace of the legates was illuminated.

We may now complete this picture of the Council's ecclesiastical year. All Saints and All Souls were once more on the list of the feasts observed in the *Cappella papalis*; they were accordingly celebrated in accordance with that custom with Solemn Mass sung by the Archbishop of Palermo and Requiem Mass sung by Grechetto. The feast of the Immaculate Conception on 8 December was not observed by the Council as such; however, on that day, as on the feasts of St Francis (4 October), St Martin (11 November), the Apostle St Andrew (30 November), no general congregation was held. The four Sundays of Advent were observed in the same way as those in Lent, with High Mass and sermon. On the feast of the Apostle St Thomas (21 December), in the presence of the whole Council, the president conferred episcopal consecration on his former teacher, Ambrosius Catharinus, and on the auditor of the Rota, Sebastiano Pighino. Christmas was celebrated as in the previous year with the sole difference that Del Monte officiated at Vespers, Matins and Mass of the feast, while on the two following days as in the year before, a conciliar bishop was the celebrant, namely the Bishops of Badajoz and Fiesole respectively. Cervini officiated at Vespers and Mass of the feast of

the Circumcision (New Year's Day 1547) and Pacheco on the feast of the Epiphany. A certain rotation is thus discernible, and this brings us to the ordering of the conciliar liturgical services.

The preparation and direction of all the liturgical functions of the Council was in the hands of the master of ceremonies, Pompeo de' Spiriti, of Spoleto,<sup>1</sup> who on that account, was a conciliar official drawing a salary of six scudi a month; he was probably also a member of Del Monte's court. He was assisted by a deacon and a subdeacon as well as by a sacristan who also drew a salary from the conciliar chest. For the liturgical chant the Council depended, up to the beginning of February 1546, on the cathedral choristers and on Madruzzo's choir which at that time was under the direction of the composer Giovanni Contini of Mantua and enjoyed a well-deserved renown. However, in compliance with the wishes of the legates, before long the Council secured the services of a choir of its own. On 3 February 1546, the eve of *Sessio* III, six choristers of the Sistine Chapel arrived at Trent. They were truly international: three Frenchmen (Lecomte, Barry and Loyal), one Italian (Bartolini), one Spaniard (Ordóñez) and one German (Mont). For their co-operation in the conciliar liturgical functions they were paid a lump sum of thirty-three scudi a month, of which one half came from the conciliar chest and the other half was contributed by the legates. The latter, however, do not appear to have succeeded in redeeming their promise of doing "all in their power to satisfy the singers" for at Bologna their number fell to three and finally to only two.

An incident of the last days of 1545 shows that it was the master of ceremonies who designated the celebrant at the various functions. Madruzzo, who should have officiated at Vespers on the eve of New

<sup>1</sup> We know very little about Pompeo de' Spiriti, the master of ceremonies, apart from an occasional reference to him by Massarelli, *C.T.*, VOL. I, pp. 328, l. 46; *ibid.*, 336, l. 19; 361, l. 23. Madruzzo's instructions that he should secure a substitute, p. 364, l. 1; cf. p. 365, l. 42; Mass of St Peter in Cathedra, *ibid.*, p. 488, l. 32. He does not appear to have been a papal master of ceremonies; cf. G. Constant, "Les maîtres de cérémonies du XVI<sup>m</sup>e siècle", *Mélanges d'arch. et d'hist.* XXIII (1903), pp. 161-229; 319-43; in any case he is not reckoned among the diarists (pp. 333 f.).—For the singers of the Council see M. Levri "La Cappella musicale del Madruzzo e i cantori del Concilio", *Il Concilio di Trento*, I (1942/3), pp. 393-405. R. Lunelli, "La polifonia nel Trentino con speciale riguardo al Concilio", *ibid.*, II (1947), pp. 78-98. As is proved by the discovery by Haberl of the so-called "Trienter Codices", with some 1600 polyphonic compositions, the cathedral choir of Trent had a good musical tradition, *L.Th.K.*, VOL. X, p. 275. A cathedral choirmaster ("cantor optimus") is mentioned in a document of 1434, and a cathedral organist in 1468, L. Santifaller, *Urkunden und Forschungen zur Geschichte des Trienter Domkapitels im Mittelalter*, VOL. I (Vienna 1948), pp. 329, 386. The Council's standpoint with regard to church music will be more fully discussed in the account of the third period.



Year's Day, and at Mass on the following day, requested him, through Massarelli, to appoint somebody else in his place. The substitute was the commissary of the Council, Sanfelice of La Cava. A strict rota of officiants does not seem to have been in existence, but a certain order, based on rank, was nevertheless followed in consequence of which cardinals and archbishops officiated on the great feasts and bishops at the remaining conciliar functions. Some of these, such as the blessing of candles on Candlemas Day, the imposition of ashes on Ash Wednesday, the procession of Corpus Christi, the feast of SS Peter and Paul, were reserved to the first president. The master of ceremonies officiated only once and then evidently at the express wish of the legates. This was on the feast of St Peter in cathedra, 22 February 1546, in the church of Sta Trinità.

Much more difficult is the answer to the question: Who selected the preachers? In fact the question cannot be answered with anything like certainty on the basis of our sources. As a general rule, which suffered very few exceptions, and then only for very special reasons, there was a sermon at all conciliar Masses. These discourses were addressed to the members of the Council and were accordingly delivered in the official language, Latin. In this way it was possible for representatives of every nation to speak from the pulpit as well as in the conciliar hall. Only in exceptional circumstances were other listeners considered, as when the Bishop of Bitonto preached in Italian on Easter Tuesday 1546, in the church of St Peter, or when the German priest mentioned above spoke in German at the exequies of Queen Anne. Sermons by members of the Council preached outside conciliar liturgical services, as for instance the Lenten sermons of Ambrosius Catharinus, of which we shall speak presently, were delivered in the vernacular.

The overwhelming majority of these preachers belonged to the mendicant Orders whose pre-eminent position was thus evidenced in this sphere as well as in that of theology. It was a rare occurrence for a secular priest to appear in the pulpit, but such a one was the Spaniard Sarra, who preached on Whitsunday 1546, and an otherwise unknown priest named Petrus Mirtius of Udine, who preached on New Year's Day 1547. On one occasion, on St Stephen's day 1546, even a layman, Count Lodovico Nogarola of Verona, gave the sermon. This occurrence was so startling that it deserves to be considered for a moment.<sup>1</sup>

<sup>1</sup> Count Ludovico Nogarola's sermon of 26 December 1546, *C.T.*, vol. 1, p. 360, is printed under the title: *Oratio L. Nogarolae comitis habita in Concilio Tridentino divi Stephani celebritate MDXLV* (Venice 1549)—14 leaves, with woodcut on the cover

It had been originally arranged that on this day a Hermit of St Augustine should preach the sermon, probably because the third Sunday of Advent which had been allotted to him had been taken up by the opening Session. Madruzzo had managed to persuade the Fathers to gratify the learned count's ambition to address the Council. Lodovico was not only a scion of a noble family and a man of great intellectual alertness, he was also a humanist and a considerable scholar. His great-aunt Isotta (d. 1466) had been a member of Guarino's circle while his cousin Leonardo had been repeatedly sent on diplomatic missions to the Sublime Porte while he was in the service of Maximilian I. Lodovico had frequented the schools of Padua and Bologna and from 1525 onwards had been for a considerable time at the court of Ercole Gonzaga at Mantua. His letter-book shows him in correspondence with Cardinal Cles, Contarini, G. F. della Mirandola and Bartolomeo a Spina, the future Master of the Sacred Palace. In 1532 he had published a translation of one of the homilies of St John Damascene. In 1543, at Parma, he had been allowed to expound his theory of the tides before Paul III. He had also written in the defence of the validity of Henry VIII's marriage with Catherine of Aragon. This man of many accomplishments felt the urge once experienced by his friend Pico della Mirandola at the fifth Lateran Council—to put before the Council his views on their task. However, his very appearance was unfortunate. Arrayed in a purple *cappa* lent to him by Pighino, and with a priest's biretta on his head, he entered the cathedral pulpit and proceeded to draw a picture of the faith and teaching of the Saint of the day for the benefit of his audience of bishops and theologians. Boldly yet at the same time gently, Stephen had at first addressed his adversaries as "Brethren", so as to win their sympathy. But when they resisted the truth he did not hesitate to castigate their obstinacy. This is how the Council should treat the Protestants if they came to Trent. They should be received with open arms, as brothers, since they were born again in the same laver of regeneration. But if they refused to return to the unity of the Church, they must not be spared. If western Christendom continued in its division it would be threatened with the fate that had befallen the eastern Church, for Soliman was no less dangerous than Murad and Mohammed.

showing Our Lord and the Samaritan woman. For the life and writings of Nogarola cf. A. von Druffel, "Über den Grafen Ludovico Nogarola und das Trienter Konzil", *Sitzungsberichte d. Bayr. Akad. d. Wiss., Phil.-hist. Klasse*, 1875, 11 (Munich 1875), pp. 426-56; H. Jedin, "Un laico al Concilio di Trento, il Conte Lodovico Nogarola", *Il Concilio di Trento*, 1 (1942-3), pp. 25-33.

Was there something truly shocking in such an appeal? Or did the hearers take offence because it was made by a layman? Or was Nogarola's ill-success due to the manner in which he delivered his message, or to his get-up which verged on the ludicrous? Whatever the answer, the sermon was a failure, painful for the speaker, but even more so for his patron Madruzzo. The experiment of a conciliar sermon by a layman was never repeated.

There were two groups of conciliar sermons for which the leaders of the Council had not to choose the preachers because there already existed a firm regulation in the *Capella papalis*.<sup>1</sup> On the four Sundays of Advent the procurators-general of the four great mendicant Orders were in the habit of preaching before the papal court. The same ruling obtained on the first four Sundays in Lent, while on the fifth the preacher was the procurator of the most recently founded Order of mendicants, the Servites. This arrangement was adhered to at Trent even before the opening of the Council, but in such wise that the above-named mendicant Orders provided the preacher on the appointed days from among their own ranks. Thus it came about that on the first Sunday of Advent 1545 that prince of Dominican theologians, Domiño Soto, could apply the gospel of the last judgment, which is that of the day, to the Council. On the following Sunday the preacher was Francesco de' Patti, a Franciscan Observant. The Hermits of St Augustine missed their turn because *Gaudete* Sunday was the day fixed for the opening Session, while on the fourth Sunday, in strict accordance with the Roman order, the Carmelites furnished the preacher in the person of Antonius Marinarius, provincial of Apulia. During Advent of 1546 this order underwent no alteration. The preachers were the Dominican Hieronymus ab Oleastro, a Franciscan Conventual whose name is not known, the Hermit of St Augustine Gregorius Perfectus and the Carmelite Ludovicus of Siena.

The same ruling was observed during the Lenten season of 1546. On the first Sunday the series was opened by the Dominican Bartolomeo de Miranda, better known under the name of Carranza and even better as the Archbishop of Toledo on whom the Spanish Inquisition laid its hands. He was followed, on the second Sunday, by the

<sup>1</sup> Advent sermons in the year 1545 by members of the great mendicant Orders, on the model of the *Cappella papalis*: *C.T.*, VOL. I, pp. 338, l. 18 (Soto); 344; l. 36 (de' Patti); 356, l. 8 (Marinarius); in 1546, *ibid.*, pp. 588, l. 35 (ab Oleastro); 590, l. 25 (an anonymous Franciscan Conventual); 592, l. 22 (Perfectus); 594, l. 12 (Ludovicus of Siena, according to *Analecta ord. Carm.* XII (1944), p. 155, to be identified with Angelicus de Contis of Siena).

Franciscan Observant Clement Dolero de Moniglia, later on general of his Order and finally a cardinal. On the third Sunday the preacher was the Hermit of St Augustine Gaspar of Syracuse and on the fourth, for a second time, the Carmelite Antonius Marinarius.<sup>1</sup> On Passion Sunday the sermon was preached by the Servite Laurentius de Castelfranco, known to us under the name of Mazochi, one of the subtlest debaters in the discussion of justification. There was no sermon on Palm Sunday on account of the blessing of the palms and their distribution to the members of the Council by the president. On Good Friday the sermon was preached by the Sienese Figliucci. On Monday, Wednesday and Friday in each week in Lent, Ambrosius Catharinus, at the request of the legates, preached in Italian in the church of Sta Trinità. All three legates assisted at the first of these discourses, on 12 March 1546, but there was no general obligation to attend.

On Ash Wednesday 1547 the pulpit was occupied by the Franciscans' most famous theologian, Andreas de Vega, but on the first Sunday in Lent the mendicant Orders took their turn as described above, the series being started by the Portuguese Dominican Georgius a S. Jacobo. On the second Sunday (6 March 1547) Massarelli makes no mention of a conciliar sermon, but we still possess the text and know the name of the author, the Franciscan Observant Lodovico Carvajal. On the third Sunday there was no conciliar service at Trent as a result of the decision taken two days earlier of transferring the Council to Bologna. Nothing is heard that year of week-day sermons in Italian.

To appraise and exploit these conciliar sermons for their historical value, as was done for the Council of Constance, we should have in our hands the actual text of most of them and at least some slight information about the effect they produced. In both these respects the situation at Trent was not helpful, at least during the first period of the Council. The eagerness shown at Constance for copying conciliar sermons, with a view to subsequent use, had abated in the era of the printing press.<sup>2</sup> Or was it perhaps due to their subject-matter? to the

<sup>1</sup> Lenten sermons from the first to the fifth Sunday in Lent 1546: *C.T.*, VOL. I, pp. 512, l. 20 (Carranza); 517, l. 10 (Dolera); on the third Sunday, *ibid.*, p. 529, l. 16, wrongly gives the name of the Dominican Gaspar a Regibus instead of the Augustinian Gaspar of Syracuse who is attested by Seripando, *C.T.*, VOL. II, p. 433, l. 3; VOL. I, p. 532, l. 29 (Marinarius); p. 534, l. 31 (Mazochi). On Ash Wednesday, which was outside the rota, the preacher was the Conventual Antonio di Casalmaggiore, VOL. I, p. 511, l. 25.

<sup>2</sup> While Finke has systematically collected the conciliar sermons which are so fruitful for the history of the Council of Constance and has succeeded in finding nearly 200 (*Acta conc. Constantiensis*, VOL. II, p. 367; a list of 182 in Arendt, pp. 260-4),

fact that the Tridentine conciliar discourses were less practical than those of Constance, "the one theme of which was the reform of head and members" (Arendt); or was it that, as a result of the schism, the atmosphere had become so tense that preachers were afraid of letting their manuscripts out of their hands for fear of being denounced to the Inquisition?

Such denunciations did occur in fact. The general of the Servites, Bonuccio, was not the only one who saw himself compelled to defend his orthodoxy (cf. CH. II). His accuser, Domiño Soto, likewise attacked the Carmelite Marinarius for his sermon on *Laetare* Sunday (4 April 1546), when he also had the support of so highly esteemed a prelate as the Bishop of Astorga and the crown jurist Quintana—not to mention Grechetto.<sup>1</sup>

Marinarius had already treated of the doctrine of a living faith and Christian freedom in his sermon on the fourth Sunday of Advent. "From the beginning of the world to its end", he had said, "only one way leads to salvation, namely faith in Jesus Christ. O that all Christians understood this benefit and made use of their Christian liberty! Then would the Church exhibit a different, a nobler aspect." "Christian liberty" and "benefit of Christ"—who had not long ago become acquainted with these notions? Marinarius had given them a Catholic

*Concilium Tridentinum* has so far restricted itself to the sermons of the Sessions contained in the acts, although other contemporary sermons exist in print, Calenzio, *Documenti inediti*, pp. 526 ff. An even greater number were printed during the third period, in fact there exists a printed *Index orationum et contionum* (15 May 1561 to 22 November 1562); one copy is in Vat. Bibl. Capponi, IV, 94; also in A. Rocca, *Bibl. Ap. Vat.* (Rome 1591), pp. 221-6. Part of these conciliar sermons has already been embodied in the great Collections of the Councils of Labbé-Cossart, Hardouin and Mansi, and Spanish sermons are found in *Hispanorum orationes in concilio Tridentino habitae* (Madrid 1748). I make use of the eight sermons printed by Le Plat, viz. those of Soto, of 29 November 1545 (VOL. I, pp. 1-12); Marinarius, 20 December 1545 (*ibid.*, pp. 23-32) and 4 April 1546 (*ibid.*, pp. 134-43); Carranza, 14 March 1546 (*ibid.*, pp. 52-62); Du Conseil, 3 June 1546 (*ibid.*, pp. 72-83); Salmeron, 27 December 1546 (*ibid.*, pp. 93-105); Georgius a S. Jacobo, 27 February 1547 (*ibid.*, pp. 112-23); Carvajal, 6 March 1547 (*ibid.*, pp. 124-33). Nogarola's sermon referred to on p. 452, n. 1, and Musso's sermon of 15 August 1546 are also printed in the latter's collected sermons (Venice 1577), cf. Calenzio, *Documenti inediti*, p. 528 and *R.Q.*, XLI (1933), pp. 239 ff.

<sup>1</sup> The accusations against the Carmelite Antonius Marinarius on account of his sermon of 4 April 1546, *C.T.*, VOL. I, pp. 535, l. 20; VOL. X, p. 586, l. 16. The passage quoted in the text is in Le Plat, VOL. I, pp. 135 f. A letter of Grechetto of 24 April 1546 (Buschbell, *Reformation und Inquisition*, p. 32), shows that he sought to prevent the printing of the sermon at Venice, evidently in vain. For Sarpi's tendency (*Istoria*, VOL. II, p. 3 and repeatedly) to represent Marinarius as a crypto-Protestant, cf. Eshes in *H. J.*, XXVI (1905), pp. 305 ff.: Massarelli's appreciation of him, *C.T.*, VOL. I, p. 356, l. 8.

meaning and no objection had been raised against him. But in his sermon on *Laetare* Sunday one sentence had escaped him, namely that the corruption of human nature, even in the regenerate, was far greater than can be imagined. He had insisted, it is true, that he did not deny man's ability to merit, but in the same breath he also warned against pharisaism and the false security which was an obstacle to grace. He even went so far as to describe good works as "signs and fruits" of grace. All this sounded highly suspicious in the ears of the Spaniards and it required all Pacheco's shrewdness to calm his countrymen. In this he was successful.

Of a different order was the scandal provoked in Sta Maria Maggiore by Madruzzo's court preacher on the Saturday after Easter (1 May 1546). Instead of a sermon Sigismondo Fedrio da Diruta read two imaginary letters. In the first the Church bemoaned her sufferings before God, lamented her decline since the days of Constantine the Great, and prayed for forgiveness of her sins, especially the sins of the clergy. The second letter was addressed to the Fathers of the Tridentine assembly and contained God's reply. The Church's trials, it said, were the punishment of her sins, especially those of the clergy which was said to consist—from the simple cleric up to the patriarch—of robbers, rebels, ignoramuses and parasites. The letter from heaven ended with the words: "I have sent Christ into the world—run to him; he will help you." After that, without another word, Diruta came down from the pulpit. The listeners, as was only natural, were exasperated. Cervini insisted on the preacher being punished by Madruzzo. Madruzzo, however, made his excuses to the legates and did not give effect to the decision already taken of Diruta's dismissal. It was said that this conduct was due to the intervention of Del Monte and Pacheco. The incident was all the more painful as, shortly before, Madruzzo had taken steps to get his court preacher made an auxiliary bishop. The appointment was not made although Madruzzo took fresh steps to that end in Rome in the summer of 1546.<sup>1</sup>

<sup>1</sup> The sermon of the Conventual Sigismondo Fedrio da Diruta (Deruta) on 1 May 1546 is more fully reported on 8 May by Severoli, *C.T.*, vol. x, pp. 481 f., than by Massarelli, *C.T.*, vol. 1, p. 543, l. 11. An earlier step by Madruzzo to get his court-preacher made an auxiliary bishop, *ibid.*, p. 362 f.; on 11 August 1547 he appointed two proctors for this purpose (Radice and Cattaneo), cf. S. Weber, *I vescovi suffraganei della Chiesa di Trento* (Trent 1932), pp. 104 f. For the biography of Fedrio see G. Odoardi in *Il Concilio di Trento*, 1 (1942-3), p. 310; R. Varesco in *Arch. Francisc. hist.*, XLII (1949), pp. 138 f. Letters from heaven are a literary *genre*, thus, for instance in 1542 an Italian preacher recited an imaginary letter of Jesus Christ, Tacchi Venturi, *Storia della Comp. di Gesù in Italia*, vol. 1<sup>2</sup>, p. 293.

The three cases we have described, those of Bonuccio, Marinarius and Diruta, furnish incontestable proof that up till May 1546 the conciliar sermons were not subjected to any kind of preventive censorship. Salmeron, however, in a letter of 1 September 1547,<sup>1</sup> states that he had submitted his sermon for the feast of St John the Evangelist (27 December 1546) to one of the legates and to three bishops for their scrutiny and that they had not found fault with any part of it. It is not difficult to guess that the legate was none other than Cervini, a member of the Roman Inquisition, but it is not possible to ascertain who were the three bishops remarkable both as theologians and as preachers. In any case a conciliar commission for the censorship of sermons did not exist. If Salmeron's action was not a spontaneous submission to a previous censure—which is not excluded by the text—we can only assume that, with a view to preventing a repetition of an incident such as the one related above, Cervini had set up some sort of a preliminary censorship on his own authority.

The passage of time since Constance is reflected both by the matter and the form of the sermons. At that time humanism was only beginning to make itself felt in pulpit oratory; at Trent familiarity with ancient literature was taken for granted both in the speaker and in the listeners. On the other hand no one presumed any longer, as in the days of the Medici Popes, to play with the gods of Olympus or to travesty theological concepts by dressing them up in classical Latin: "I am not on the look out for Cicero's terminology", Carranza said; on the contrary, he made his own the prophet's words: "Woe is me if I remain silent" (Is. VI, 5) and sought to assimilate the spirit of St Paul.<sup>2</sup>

<sup>1</sup> Salmeron's sermon of 27 December 1546 on St John the Evangelist as a *Forma praelatorum*, C.T., VOL. I, p. 596, l. 15, was printed in Rome in March 1547 by Nicolaus Sabiensis, see Calenzio, *Documenti inediti*, p. 528, also Le Plat, VOL. I, pp. 93-105. In a letter of 1 September 1547 to P. A. Achilles, Salmeron thus defends himself *M.H.S.J. Epp. Salmeronis*, VOL. I, p. 45: "hanc a me orationem non prius in synodo recitatam esse quam censuram subierit unius ex Rev<sup>m</sup>is et Ill<sup>m</sup>is legatis concilio praesidentibus et trium episcoporum, qui et sacrarum litterarum doctrina et dicendi facultate praecipui et summi in sancta synodo semper habiti sunt, qui tamen in hac parte nihil corrigendum esse censuerunt." According to Paris de Grassis (ed. Armellini, p. 13) sermons that were to be preached in the *Cappella papalis* had to be submitted to the Master of the Sacred Palace. At the Council of Constance an English Doctor of Theology was refused permission to preach because he would not submit the text of his sermon to the Cardinal of Florence beforehand, *H.J.*, XI (1890), p. 275.

<sup>2</sup> Carranza's abandonment of Cicero, Le Plat, VOL. I, p. 54. Du Conseil declines to describe Christ's triumphant Ascension after the manner of a pagan triumph, Le Plat, VOL. I, p. 75; Carvajal declares, *ibid.*, p. 129, that "the old schools of philosophy have their heads, but our Head is Christ". But classical reminiscences are frequent, for example, *Stentoria vox*, *ibid.*, p. 78, *Lerna malorum*, p. 79 and elsewhere. Du Conseil quotes the Greek New Testament several times, *ibid.*, pp. 73, 75, but excuses himself

His example was followed by the majority, and even for so pronounced a humanistic orator as Cornelio Musso, humanism was no more than a rhetorical flourish.

Of the conciliar sermons of Constance it could be said that there is scarcely another group of sources that gives us a comparable picture of the Council. The Tridentine conciliar sermons on the other hand keep off controversial subjects; they hint at them but do not directly deal with them. The real opponent with whom the Council had to contend was not there at all. For all that these sermons are indispensable for an understanding of the Council's own conception of its function and of the picture of the Church which that assembly had before its eyes. "Simon, sleepest thou?" Domíngó Soto asked the assembled bishops on the first Sunday of Advent in the year 1545, immediately before the opening of the Council. "The liberty granted to Christians by God is misused; God's law and the Pope's is derided; the wall of the law has collapsed, burying faith and charity." "Lift up your heads!" he urged his hearers in the words of the gospel of the day (Luke XXI, 28), "what answer will you make to the judge of the universe if you depart from this place with your work undone?"<sup>1</sup>

On the first Sunday in Lent 1546 Bartolomeo Carranza took up once more the anxious question: "Lord, wilt thou at this time restore again the kingdom of Israel?" (Acts I, 6). Developing the historical and theological ideas of the later Middle Ages, he described the decline of the Church, her territorial losses and the need of internal reform. The East, evangelised by St Paul, and Africa, where Tertullian, Cyprian and Augustine had worked, were lost. The ancient patriarchal sees of Antioch, Alexandria, Jerusalem and Constantinople were desolate. Even part of Europe itself had become a prey of the Turks. Rhodes had had to be abandoned, Hungary had been conquered, Austria devastated. All this could only have happened because the Christian princes were not united among themselves. They sought the things that were their own, not the things that were Jesus Christ's (Phil. II, 21).

for Hebrew quotations, *ibid.*, pp. 76, 81. Georgius a S. Jacobo paraphrases the Lenten hymn *Audi benigne Conditor* in a sermon in the form of a prayer, *ibid.*, pp. 113 f.—On the humanism of the sermons of Constance see Arendt, p. 109; for preaching in Italy in the sixteenth century see Tacchi Venturi, VOL. I<sup>2</sup>, pp. 291 ff.; E. Santini, *L'eloquenza italiana dal Concilio Tridentino ai nostri giorni* (Milan 1923), pp. 9-48.

<sup>1</sup> Extracts from Soto's sermon on the first Sunday of Advent 1545, Le Plat, VOL. I, p. 10; they are surely far more incisive than Musso's opening discourse, cf. Jedin, *History of the Council of Trent*, VOL. I, p. 577. Whether Soto was as eminent an orator as he was a theologian I dare not decide; among the many eulogies of him in Gutiérrez, *Españoles*, p. 336, only that of Sixtus of Siena refers to the orator.



Even more terrifying was the picture of the internal condition of the Church when compared with the Biblical description of the new Jerusalem, the holy city of God. The vices of greed and ambition raged within her, and one abuse led to another. Whose was the responsibility for this situation? Those were responsible whom God had appointed guardians of the holy city, shepherds of his flock, fathers of his family. "Consider what your answer would be if you were to die tomorrow and to appear before the judgment-seat of Christ. His word would smite you like a stroke of lightning."<sup>1</sup>

Both Soto's and Carranza's aim was to stir up the bishops' consciences. The Council was only beginning, yet the sermon of the Frenchman Jean du Conseil, on Ascension day 1546, already betrays a sense of disappointment with the course the discussions of reform had taken up to that time. The preacher asked whether the triumph of Christ ascending into heaven was paralleled by an earthly triumph of his Church. He answered with another question: What triumph is there for Christ when his churches are profaned and destroyed, the Eucharist, the images and relics of the Saints dishonoured, when not *one* Christ is preached but many, when Christians about to lose their faith study the Coran, when the sentiment of Christian solidarity is so weakened that a man thinks of himself first as a Roman, a Frenchman, a Spaniard, a German, and only then as a Christian? One might despair and declare the wounds of the Church incurable did not history teach us that it is precisely when the situation seemed desperate, in the Christian past and during the great schism of 130 years ago, that Almighty God was wont to answer the hopes and prayers of his servants by means of Councils. The present Council also can bring salvation to the Church provided three conditions are fulfilled. Firstly judgment must begin with the house of God by a strict reform of head and members; a reform which is not content with pursuing the little fishes but one that attacks the "dragons". Secondly the Council must understand that laws of reform are not a spider's web that can be lightly brushed aside and the legislator must be the first to conform to them. Enough paper is covered with laws which no one observes; it would be foolish to add to their number. Thirdly no time must be lost. Protestantism can be overcome. It will recede in the same way as the collocutors of Ratisbon

<sup>1</sup> The theory of decay in Carranza's sermon, *Le Plat*, VOL. I, pp. 54 ff. Marcus Laureus expresses similar ideas in his sermon to the Session, *C.T.*, VOL. V, p. 251. His appeal to the Fathers of the Council, *Le Plat*, VOL. I, pp. 59 ff., is matched by that of Carvajal, *ibid.*, p. 133, that of San Marco, *C.T.*, VOL. IV, pp. 560 f., and that of Bonuccio, *C.T.*, VOL. V, p. 100.

who vanished from the city in the night, provided that the Council sets to work at once and wastes not a minute of its time. "Make haste; snatch his prey of souls from the devil's hands! Why do you hesitate? Do you think the time is not yet? I fear it is almost too late. The axe is laid to the roots; the tree that bears no fruit will be cut down. Our present small number is no excuse. Representatives from every part of Christendom have come here. It is intrinsic worth, not numbers, that counts. Must the Council of Trent drag on for more than eighteen years, like the Council of Basle? Make haste, therefore, and remember that the eyes of the whole world are upon you."<sup>1</sup>

All the different preachers agree on the one point, namely that the Church is undergoing a severe crisis chiefly due to the fact that faith and charity have grown cold. The moral corruption of clergy and people, the misuse of holy things, have kindled the conflagration of the schism and have continued to add fuel to it, hence, as the Portuguese Georgius a S. Jacobo pointed out on the first Sunday in Lent of the year 1547, "it is not enough to condemn the errors of the Protestants, for this much is certain that it was these abuses that gave them birth, caused them to grow and to spread almost to every part of the Church. Condemnation of errors and reform must go hand in hand."<sup>2</sup> The sickness of the Church, Marinarius declared in the Lenten sermon of 4 April 1546 mentioned above, is too real to be denied, too grave to be borne, too dangerous to admit of delay in the application of a remedy. However, the Carmelite preacher knew that laws do not work a cure of themselves. It is necessary to dig down to a deeper level. The sickness of the Church can only be cured if the bishops once more break

<sup>1</sup> The passages from Du Conseil's sermon on the Ascension—one of the most interesting of them all—in Le Plat, VOL. I, pp. 77 f., 82 f. According to Georgius a S. Jacobo (*ibid.*, p. 119) the Council is the inn to which the Good Samaritan takes the wounded Church. Carvajal compares the Council to the Transfiguration, *ibid.*, p. 130: "Cum vos ex universa Ecclesia huc convenistis et concilium facere coepistis, fuit tempus gloriosae transfigurationis"; his impatient query, *ibid.*, p. 132: "Quousque haeretici nobis exprobrabant abusus nostros?"

<sup>2</sup> The urgency of Church reform according to Georgius a S. Jacobo (Le Plat, VOL. I, p. 121: "Non admodum multum prodesset, quasi tantum ter sagittis vestris terram percutientes, damnassee cunctas haereses, errores omnes, si tamen . . . remanere contingat abusus maximos, quos nemo non videt . . . , cum certissimum sit, huius infelicitatis temporis errores propter abusus ortos fuisse, propter abusus sumpsisse incrementum et propter abusus pene in tota ecclesia disseminatos esse." Marinarius, *ibid.*, p. 142, has this impressive formula: "Languet et afflicta ac pene deploranda iacet ecclesia. Res haec verior est quam ut negari possit, gravior quam ut debeat ferri, et perniciosior quam ut differri expediat"; and he adds (p. 143). "Non enim linguae in primis est haec caelestis doctrina sed vitae." Salmeron's ideal of a bishop, *ibid.*, pp. 101 ff.

the bread of the word of God for their people, the bread of the gospel to which the Church owes her origin and growth, and if their own lives conform to this gospel. Like Du Conseil, Marinarius is convinced that the decrees of the Council will never reach the people but will remain a dead letter if they are merely promulgated but not translated into practice. The ideal of the bishop and the priest which we glimpse here was expounded in the above-mentioned sermon of Salmeron on the feast of St John the Evangelist with scholastic fullness but likewise with great earnestness and vividness of language: "The duty of following in the footsteps of Christ is most strictly binding on the pastors; they are bound to follow the Good Shepherd not from afar but closely, like the Beloved Disciple. To him Christ on the cross committed his mother; to the bishops he commits his Church. Why is it that the faithful show but little love and reverence for their pastors? It is because the shepherds wish to be feared as princes, not to be loved as fathers; they seek to satisfy their ambition in the Church, covet ever wealthier and more splendid dioceses, or else they are asleep, neglect God's field, abandon his sheep to the wolves."

The modern reader needs no detailed demonstration to convince him that the preachers of the Council of Trent not only formed a proper estimate of the past and the present but had also a presentiment of the future. Much of what they said about the need of a reform of the Church was to be found in the sermons and reform tracts of the two previous centuries, but their tone is different—the fact of the great apostasy can no longer be ignored. It is this consciousness that causes their words to ring like an adjuration. The authors of the schism are not there, but they are present to the mind of the preachers. What was their view of the Protestant reformation?

From the theologians' list of errors we gather that Calvin and the Calvinistic form of Protestantism, the *Institutio* and the ecclesiastical constitution of Geneva, had not yet come within the purview of the Tridentine theologians. For them Protestantism was identical with Lutheranism—that "calamity from the north".<sup>1</sup> Salmeron was only too well aware that it was no longer restricted to Germany but had spread over the whole of Europe, so that there was not a corner of the Church's territory that had escaped contact with it. At no previous period of her history did the Church have to contend with a more wide-

<sup>1</sup> For the preachers' view of the schism see Le Plat, vol. 1: for Du Conseil, pp. 78 f.; Salmeron, p. 103; Georgius a S. Jacobo, p. 119; Carvajal, pp. 128 f.; Marinarius, p. 141.

spread and obstinate revolt than at this unhappy time. For the Portuguese Georgius a S. Jacobo it was incomprehensible that the mighty German nation, a people of so serious a character and so keen on doing what was right, could allow itself to be deceived by Martin Luther and won over to his *fide fiducialis*. Luther had not wrought a single miracle to prove the divine origin of his teaching (Carvajal). He sets himself against the current of ecclesiastical tradition. In his opinion the Fathers of the Church and the princes of theology are in error while he regards the Chair of St Peter as the tower of Antichrist (Salmeron). We can only account for his success if we bear in mind that the angel of darkness has always been in the habit of transforming himself into an angel of light: by their fruits alone can the one be distinguished from the other (Carvajal). These fruits are palpable; the liberty proclaimed by the innovators is but a cloak for wickedness. Fasting, abstinence and every form of asceticism they regard as sacrilege. They expect the Council to abolish every precept of this kind. If we were to yield to their demands the Council of Trent would not be the tenth oecumenical Council but (after Rimini and Ephesus) the third sham Council (Du Conseil). One argument against the new teaching is that its adherents—the Protestants, “are more variable than Proteus”. Every form of Protestantism makes a fanatical claim that it preaches the real Christ and that it alone possesses his spirit and a right understanding of Holy Scripture. They demand that Catholics should join them in keeping a new Pentecost, accept the newly discovered gospel and reform the Church of Christ in accordance with this spirit (Marinarius). Such a “reformation” is unacceptable: it has led to the division in the Church.

At a later date, in 1558, Carranza's disciple Domiño de Rojas testified before the Spanish Inquisition that during the course of the Council his master had assimilated Luther's small book on the liberty of the Christian and had made its vocabulary his own, to such an extent that when he himself read the book later on he was extremely surprised to find in its pages thoughts with which he had long been familiar. For all that, De Rojas added, at that time Carranza was most keen to refute Luther's assertions, so much so indeed that to many his keenness appeared excessive.<sup>1</sup> The case is a typical one. As often as we meet

<sup>1</sup> Rojas's assertions about Carranza in E. Schäfer, *Beiträge zur Geschichte des spanischen Protestantismus und der Inquisition*, VOL. III (Gütersloh 1902), pp. 765, 768, 772; cf. H. Jedin, “Das Konzil von Trient und der Protestantismus”, *Catholica*, III (1934), pp. 137-56. The theme here broached needs to be studied much more thoroughly. What is certain is that Trent provided many theologians from Latin

with any approximation to Luther's teaching on grace and justification by some of the theologians of the Council, men like Bonuccio or Seripando, Giulio Contarini or Sanfelice, we also see that not one of them approved of the Protestant reformation, of separation from the body of the universal Church. All of them long for a regeneration of the Church, but all of them are also convinced that this rebirth must spring from the very essence of the one Church in which they all had their being, that is, it must be brought about by means of a Catholic reformation.

The conciliar sermons were a sustained examination of the Council's conscience. They also give us a key to the understanding of the not very numerous or detailed accounts of the social and spiritual life on the fringe of the Council. Everyone in that assembly was aware that as many critical eyes as hopeful ones were fixed on Trent. The medieval forthright acceptance of life—in spite of a sense of the essential vanity of the world—as well as its care-free enjoyment at the court of the Renaissance Popes up to the time of the Medici, were things of the past. No pleasure-loving monarch like the Emperor Sigismund was there to lighten the Council's stern task by arranging tournaments and other courtly entertainments. Unlike the Councils of the Middle Ages this was no congress representing an undivided Christendom. Madruzzo's court was the court of a spiritual prince whose style surprised more than one of the prelates who had come from distant countries, but it was nevertheless the style of an ecclesiastical court. However, no court, so we read in Castiglione's *Cortegiano* (III, 3), however splendid it may be, is able to display brilliance and gaiety without the presence of ladies. The one occasion when Madruzzo introduced them into the life of the Council caused a sharp collision of opinions.

During the carnival of 1546, the cardinal had made arrangements for the celebration in the castle of the wedding, on 3 March, of one of his nobles, to which he invited several prelates, including the Archbishop of Palermo, the Bishops of Agde and Clermont, the conciliar commissary Sanfelice of La Cava, Bishop Campeggio of Feltre and the

countries with the opportunity of becoming acquainted with the Reformers' teaching at its source (*see* for instance Páez de Castro's remark about Lutheran books at Trent). But the adherents of the Reformation in Trent and the surrounding district were very few, cf. V. Zanolini, "Appunti e documenti per una storia dell'eresia luterana nella diocesi di Trento", *Annuario del Ginnasio pareggiato Principesco Vescovile di Trento* (Trent 1909), pp. 1-116; *id.*, "Eretici in Valsugana durante il Concilio di Trento", *Annuario*, etc. (Trent 1927), pp. 1-78.

auditor Pighino. All these, in accordance with local custom, joined in the bridal dance, the cardinal himself leading off. As soon as Cervini learnt what had occurred he took Madruzzo sternly to task. Del Monte, on the other hand, sent him word that if he had not been ill he would have joined in without any hesitation. Pole observed that in his country it was customary for clerics not only to join in the bridal dance but even to bestow on their partner the customary salutation on such an occasion. This means that they regarded the whole affair as quite harmless and that Cervini stood alone. His motive is, of course, obvious; what a scandal there would be if the opponents of the Council were to hear that members of that assembly had lightheartedly joined in a merry round.<sup>1</sup> The austere spirit of ecclesiastical reform of which Cervini was the embodiment condemned such worldly diversions, even if they were permissible, in the members of the Council.

As a matter of fact Madruzzo, who in the meantime had taken full responsibility for what had occurred, did not by any means shut himself off from this new spirit: thus during the carnival of 1546 he forbade the wearing of masks in the city, though the prohibition proved ineffective. In the following year the diversions of the carnival were forbidden on account of the recent death of Madruzzo's brother Aliprando.<sup>2</sup> Between the opening of the Council and its translation the cardinal gave four banquets on the grand scale, namely on the Emperor's birthday, at the same time as Pacheco; on the Tuesday of Easter Week, for the whole Council; on 26 July for forty-two bishops and the senior officers of the papal army; on 5 August on the occasion of Pacheco's reception of the red hat. The legates abstained from large-scale hospitality and contented themselves with inviting conciliar prelates and theologians, either singly or in small groups, to partake of a meal with them. From Massarelli's diary we learn that the same line was taken by the rest of the prelates. We shall scarcely be mistaken if we assume that a good deal of conciliar policy was discussed at these entertainments.

The legates' restraint with regard to social entertainments was not exclusively inspired by fear of possible scandal; it was also prompted

<sup>1</sup> The wedding in the castle of Trent, *C.T.*, vol. I, pp. 507, f.; on 5 March 1546 Vergerio writes to Cardinal Gonzaga (State Arch. Mantua 1915) that Del Monte and Pole had shown themselves "buoni compagni", but adds in conclusion: "ad ogni modo saria scandalo che s'habbi a dire che i vescovi di Feltre, vecchi padri del concilio, habbino saltato o ballato."

<sup>2</sup> The carnival at Trent, *C.T.*, vol. I, pp. 509, l. 3; 510, l. 4; 617, l. 6. The banquets of the imperial cardinals, *ibid.*, pp. 493, l. 7; 541, l. 38; 565, l. 24. Invitations by Cervini, *ibid.*, pp. 377, l. 29; 381, l. 27; 399, l. 12; 616, l. 18 and elsewhere; by Del Monte, *ibid.*, p. 549, l. 4.

by a severely practical motive, namely the problem of accommodation. Immediately after his arrival at Trent on 6 March 1545, Massarelli had rented for his master Cervini the most beautiful of all the city's palaces, the Palazzo Girolidi, later on called Palazzo Prato.<sup>1</sup> On 22 April 1545 Del Monte, who at first lodged in the house of the jurist Antonio Queta, transferred to Cervini's residence and there both were soon joined by Pole. This close proximity of the legates under one roof was undoubtedly a great advantage for a uniform guidance of the Council. It was also a great convenience for the legates themselves because the general congregations and the congregations of theologians were held in the great hall of the Palazzo Girolidi. However, the palace, now no longer in existence and only known through an old engraving, did not offer sufficient space for large-scale entertainments. It was much smaller than the palaces of the Roman cardinals and was therefore inadequate for the accommodation of the households of three cardinals. This is why Massarelli lodged with the archdeacon and only returned to the Palazzo Girolidi on 3 December 1546, no doubt because the legates wished to have him always at hand.

Cardinal Pacheco, on the other hand, had the whole of the Palazzo Salvadori for his exclusive use. Well-to-do bishops occupied the spacious houses of burghers; thus the Archbishop of Palermo lodged in the Casa Cazuffi in the Via Larga and the Bishop of Astorga in the Casa Costede. The imperial envoy, Francisco de Toledo, secured for himself the Palazzo Queta which had been occupied at first by the president. His colleague, Diego de Mendoza, stayed at the Dominican

<sup>1</sup> Data about the lodgings of the prelates at Trent in S. Weber, "Le abitazioni dei padri a Trento durante il Concilio", *Il Concilio di Trento*, I (1942-3), pp. 57-64; 139-46, are in part taken from notaries' protocols and partly from sources of the second order and therefore not altogether reliable; thus for instance the squabble with the landlady Barbara, *C.T.*, VOL. I, p. 443, is wrongly ascribed to Musso, who at that time was no longer Bishop of Bertinoro. Massarelli describes the "house" of G. B. Girolidi, lord of Segunzano, which he rented for Cervini, as "ampla, pulchra et aeris salubritate majori totius civitatis posita", *ibid.*, p. 177, l. 28. He does not mention that as soon as Pole arrived at Trent, on 4 May, 1545, he went to stay at the Palazzo Girolidi, *ibid.*, p. 183, l. 35, though in the last days of November he notes that all three legates lodged there, *ibid.*, p. 338, l. 33. On 28 December they stood godfathers to the son of their host, Giovanni Maria Melchior, and made him a christening-present of 50 scudi, *ibid.*, p. 361, l. 21. Some details about the quarters of the prelates are also found in Casagrande's contribution to H. Swoboda's compilation: *Das Konzil von Trient, sein Schauplatz, Verlauf und Ertrag* (Vienna 1912), pp. 22 ff., 26 ff., but they are based on Giuliani. To what I have said about the conditions of accommodation in the Palazzo Girolidi it might be objected that on 6 August 1545 Del Monte gave a banquet which Massarelli describes in detail, *C.T.*, VOL. I, pp. 231 f.; but it must be remembered that at that time there were less than two dozen prelates at Trent and only twelve members of their suites were invited.

convent of San Lorenzo whenever he happened to visit the city. Very few Italian bishops were in a position to rent a whole house, as did the Archbishop of Siena and the former nuncio in Germany, Mignanelli. The "poor" prelates, who were dependent in greater or lesser measure on the very niggardly assistance they received from the conciliar chest (25 scudi a month) had to be satisfied with rooms in private houses whose owners were not in a position, like the well-to-do, to evacuate them and to escape to a villa in the neighbourhood of the city. Housing conditions therefore naturally kept social life within certain bounds. Hospitality in the grand manner could only be dispensed by Madruzzo, who had at his disposal not only the magnificent castle but in addition also the Palazzo delle Albere which stood in a spacious garden on the outskirts of the city, a villa above the defile of the Fersina and the castles of Toblino and Riva somewhat further away.

The garden of the Palazzo delle Albere was the setting of the Dialogue on human society which the poet of the *Christiad*, Girolamo Vida, claims to have held in the summer of 1545—hence before the opening of the Council—with Marcantonio Flaminio and Aluise Priuli, in the presence of the conciliar legates. The text of this dialogue he subsequently embodied in his book *De dignitate reipublicae seu civilis societatis*, published in 1556.<sup>1</sup> "The Muses feel the cold", Priuli said. "Mine are silent", Flaminio answered. "How is that?" Vida retorted. "Are we not nearly consumed by the heat of the sun and are not the crickets chirping all through the hot nights?" When Pole and

<sup>1</sup> Girolamo Vida (1485-1566), Canon of the Lateran, from 1533 Bishop of Alba, was at Trent from 29 May, to 6 September 1545, *C.T.*, VOL. I, pp. 196, l. 28; 260, l. 3. Though recalled by the legates in November, *ibid.*, pp. 319, l. 4; 328, l. 34, he only reappeared at the general congregation of 14 June 1546, VOL. V, p. 221, l. 19, and departed on 25 August, VOL. X, p. 872, n. 5; cf. pp. 626, l. 12; 630, l. 3. We meet him again on 8 March 1547, shortly before the translation, VOL. V, p. 1011, l. 46. The dialogue in the Palazzo delle Albere must therefore have taken place in the summer of 1545, if it has historical authority. The account is reproduced in P. Paschini, *Un amico del Cardinale Pole, Aluise Priuli* (Rome 1921), pp. 87 ff.; a reprint with the interesting dedication to Pole and a detailed introduction are found in G. Toffanin, *L'Umanesimo al Concilio di Trento* (Bologna 1955), pp. 75-157. Besides the *Christiad* which imitates Virgil, Vida also composed an *Ars poetica*, cf. Toffanin, *Il Cinquecento* (Milan 1929), pp. 49 f., 63. His *Opera* in two volumes, Padua 1731. Of the letters published by F. Novati in *Archivio storico lombardo*, Series 3, xxv (1898), pp. 195-281, the only important one for us is that addressed to Paul III (without date), no. 14, pp. 270-3, because it describes episcopal residence as the best preventive against the advance of Protestantism. V. Osimo, "Le costituzioni sinodali di G. Vida", *Giornale della letteratura italiana*, LVII (1911), pp. 332-47, describes Vida's statutes for the diocese of Alba which were printed at Cremona in 1562. A. Ratti, *Scritti storici* (Florence 1932), pp. 253 ff., speaks of Vida as a "buono e dotto ecclesiastico" and an "executore operoso" of the Tridentine reform; for his courageous intervention on behalf of Flaminio, see Buschbell, *Reformation und Inquisition*, p. 320.



eventually Del Monte and Cervini also joined the company Vida expounded the advantages of social life while Flaminio enumerated its disadvantages. The disputation lasted until evening and at the approach of night Vida escorted his guests as far as the city gates. Not long afterwards, on 6 September 1545, the poet fled from the sweltering heat of the city. He only returned in the following year, shortly before *Sessio* V, but Flaminio and Priuli remained with their friend Cardinal Pole.

In the course of the summer of that year, on 4 July 1545, a young Spanish humanist also arrived at Trent. He was Juan Páez de Castro, secretary to Diego de Mendoza.<sup>1</sup> His first impression was one of disappointment. Humanistic books that would have interested him were nowhere to be seen, but everywhere he came upon Lutheran writings which held no attraction for him. However, his opinion underwent a change as soon as Mendoza had his library transferred to Trent, for it was particularly rich in printed books and manuscripts of Greek authors. Together with his secretary, Mendoza took up the study of Aristotle's *Mechanics*, and whenever the young man's energy began to flag, the older one would encourage him: "Come, let us apply ourselves to study, Señor Juan Páez!" he would say. During the winter of 1545-6 the latter decided to form a group with men of similar tastes for the study of Aristotle for which the Aldus edition and a number of Greek and Latin commentaries were available. On 24 March 1546 Páez wrote to his friend Jeronimo Zurita, who was presently to be named chronicler of the Empire by the Cortes of Aragon, that in future he would devote all his energy to Plato and Aristotle and that he hoped for great results from this study. His first concern was the production of a better text. When spring came he

<sup>1</sup> Twelve letters of Juan Páez de Castro to Jerome Zurita for the years 1545-7 in D. Dormer, *Progresos de la historia en el Reyno de Aragón* (no place or date; the preface is dated from Saragossa, 8 December 1678), pp. 461-79. According to A. González Palencia-E. Mele, *Diego Hurtado de Mendoza*, VOL. I (Madrid 1941), pp. 314 ff, Páez, later on the court-historian of Charles V, was at that time "pensionado", not a real secretary to the ambassador. The addressee of the letters, Zurita, was soon afterwards appointed chronicler for Aragon and is the author of the celebrated *Anales de la Corona de Aragón*, cf. B. Sánchez Alonso, *Historia de la historiografía Española*, VOL. II (Madrid 1944), pp. 32 ff. Besides these letters of Páez yet another addressed to Dr Augustin de Cazalla, dated 10 April 1546, is printed by Ch. Graux, *Essai sur les origines du Fonds grec de l'Escorial* (Paris 1880), pp. 402 ff., and another of 3 April 1547 addressed to Zurita is reproduced in the *Vida literaria del D. J. L. Villanueva por el mismo* (London 1825), p. 414, printed in part in *C.T.*, VOL. XI, p. xxxviii. On Páez de Castro's Tridentine studies see Graux, *Essai*, pp. 79-89; for Mendoza's library, *ibid.*, pp. 165 ff. Massarelli visited it together with Hervet on 31 May and borrowed for Cervini eight Greek manuscripts, *C.T.*, VOL. I, p. 197, l. 38.

conceived the idea, in concert with Fracastoro, the physician of the Council, who had arrived at Trent by this time, and the Trent doctor Giulio Alessandrini, of forming a group for his study of plants and metals for which the flora of the Alps and the mines of the neighbourhood of Pergine furnished abundant material. In addition to these activities Páez also took a lively interest in every novelty in the Venetian book market, such as new editions of Caesar and Boethius, Fracastoro's work on contagious diseases and Bembo's *History of Venice*. He was enthusiastic about the plan of Cosimo of Florence for the establishment there of a Greek printing press for the purpose of publishing "all the good things" to be found in the Florentine libraries. "If the same is done in France", he observed, "we shall soon have in our hands a great treasure of Greek authors." In order to provide himself with a bibliographical vade-mecum he copied out Photius's *Library*. So insatiable was his appetite for studies of this kind that his equanimity was not perturbed when at the end of 1546 Mendoza did not choose him, but Montesa, for his secretary when he left for his new post in Rome. In the spring of 1547 he paid a short visit to Rome. While there he transcribed in the Vatican Library, for the Bishop of Badajoz, an "Explanation of the Liturgy of St John Chrysostom" and several "Lives" of Saints, and had dealings with Antonio Agostino. He then returned to Trent, now depopulated on account of the translation of the Council to Bologna, and resumed his beloved studies together with Giulio Alessandrini. Trent had become for him a place of useful stimulation and valuable contacts: "I should love to remain at Trent for years", he wrote to Zurita on 8 June 1546, "for nowhere in Italy can one learn so much by mixing with others as here where a goodly number of the best brains of Spain and Italy are to be found."

Such a judgment may have been inspired by youthful enthusiasm, but it is a fact that at this time Trent held within its walls not only able theologians and canonists, but likewise a number of the best among the humanists. It will suffice to name a few. In view of his reputation as a stylist the Bishop of San Marco, Coriolano Martirano, who had resided at Trent since 1 June 1545, had been commissioned to draw up the Council's letters to princes which, in point of fact, were never despatched.<sup>1</sup> Páez's impression was that the bishop lacked profound erudition but he acknowledged his linguistic accomplishments. He

<sup>1</sup> For Coriolano Martirano, Bishop of San Marco, 1530-57, see CH. I, p. 24, n. 1. His Latin tragedies, including one translated into Italian under the title "Christus", were printed at Naples in 1563; the *Epistolae familiares* (Naples 1856) I have not seen.

had translated Homer and Plautus and was himself the author of eight Latin tragedies. He was, however, far surpassed by his countryman Seripando, at one time the glory of the Neapolitan humanists and a noted Platonist, but now one of the pillars of the Council on account of his knowledge of St Augustine and of theology, as well as on account of his eloquence. Another Neapolitan, Galeazzo Florimonte, Bishop of Aquino, belonged like Vida to the older generation of humanists who had lived in, and enjoyed, the period of the Medici, but he had undergone a change of heart and joined the reform movement.<sup>1</sup> Like the rest of the men around Pole and Seripando, Florimonte saw in Giberti, Bishop of Verona, the man who would lead the Church into a better future; but he too did not escape the fate of the rest of Giberti's "brood", namely the accusation of heresy, although during the debate on justification, "as orthodox as any", he had cautioned the Fathers against the little book entitled *Of the Benefit of Christ*. A disciple of Agostino Nifo, Florimonte had written in the course of the summer of 1545, a book on the freedom of the will which he forwarded to Trent. He was anything but "old and childish", as Massarelli described him on one occasion. While the Council was in session he began a translation into Italian of select homilies of the Fathers of the Church, in order to provide models for preachers. The collection was published in 1552 and remained in print until the nineteenth century.

The impulse for this undertaking came from Cervini, whom it is no exaggeration to describe as the soul of humanism at Trent. A genuine philologist both by nature and personal inclination, Cervini had interested himself, previous to the Council and when already a cardinal, in the production of critical editions of Cicero and Xenophon, Aristotle and Vitruvius; but at this time he concentrated his own energy and that of his friends and familiars on the accumulation of historical and patristic material in support of Catholic dogma and the

<sup>1</sup> Literature on Galeazzo Florimonte (1484-1565), made Bishop of Aquino, in 1543 and in 1552 Bishop of his native city of Sessa/Aurunca, in Jedin, *Seripando*, VOL. II, pp. 292 ff. Arrival at Trent 12 December 1545, *C.T.*, VOL. I, p. 401, l. 41; the covering letter to Cervini for *De libero arbitrio*, dated 11 July 1545, is mentioned in *H.J.*, XXI (1900), p. 419. Massarelli's depreciatory remark about him, *C.T.*, VOL. I, p. 383, l. 34. There are many proofs of his sincere will for reform in the course of the debate on residence, VOL. X, pp. 528, l. 26; 685 f.; 773, l. 32; 878, l. 8. The warning against the little book *Del beneficio di Cristo*, VOL. V, p. 365, l. 23. Work on the homilies of the Fathers went on for several years, as we learn from the extracts of his letters to Cervini, Buschbell, *Reformation und Inquisition*, p. 13, n. 1; further evidence of his reforming activity and his good relations with Cervini, *ibid.*, pp. 212 f., 234 f., 319.

institutions of the Church. His court at Trent included the Frenchman Gentien Hervet, the translator of a number of Greek classical writers and Church Fathers. His authority for patristic information in Rome was Guglielmo Sirleto, a Calabrian, who had only recently declined the offer of a professor's chair of Greek at Perugia in order to devote himself uninterruptedly to the "autori divini". In his case, this meant the study of the manuscripts of the Greek Fathers of the Church.<sup>1</sup> He likewise declined an invitation to Trent, but at Cervini's request furnished from the manuscripts of the Vatican Library patristic texts bearing on whatever happened to be the theme of conciliar discussion. This he did in long letters. In this way he forwarded texts of SS Irenaeus and Basil on the value of Tradition, on the canonicity of certain controverted books of the Bible, and on the value of ancient translations of the Bible, among which he assigned the first place to the Septuagint. At a later date he forwarded passages on the necessity of good works and on the freedom of the will taken from the writings of St Gregory of Nyssa and St Hilary of Poitiers, and excerpts from other authorities of Christian antiquity as witnesses to Baptism and the Eucharist. We also come across, though more rarely, matter bearing on Church reform, as for instance texts on the appointment of bishops and priests from the writings of the great Cappadocians. Sirleto was acquainted with the works of Lefèvre d'Étaples and frequently criticises Oecolampadius's translations of the Fathers. He also informed Cervini of the publication in Rome of the treatise of Theodoret of Cyrus, against heresies, some passages of which had given rise to misgivings on dogmatic grounds. These Cervini submitted to the learned

<sup>1</sup> Cervini's correspondence with Sirleto in Vat. lat. 6177 (Sirleto's letters) and 6178 (Cervini's letters) has been published in part by Buschbell, *C.T.*, vol. x, pp. 929-55, but with verification of the texts from the Fathers quoted in them; see also Eheses in *R.Q.*, xi (1897), pp. 602 ff., and above all S. Merkle, "Ein patristischer Gewährsmann des Tridentinums", *Festgabe Albert Ehrhard* ed. by M. Königer (Bonn 1922), pp. 342-58. However, Merkle's assertion (p. 344) that the correspondence contains "the patristic proofs for nearly all the Tridentine decrees" is surely an exaggeration, were it only that a number of Byzantine authors are also quoted though no use was made of those extracts. We pass over the discussion of controversies in the correspondence, such as that of St Peter's sojourn in Rome, the number of the so-called apostolic canons, the baptism of Constantine, Constantine's Donation, etc.—The earlier literature on Cardinal Sirleto (1514-85), one of the most erudite as he was one of the most unassuming scholars in sixteenth-century Rome, *C.T.*, vol. x, p. 929, n. 1; also P. Paschini, *Tre ricerche sulla storia della Chiesa del Cinquecento* (Rome 1945), pp. 153-281; *id.*, "Il card. G. Sirleto in Calabria", *Rivista di storia della Chiesa in Italia*, i (1947), pp. 23-37; Ratti, *Scritti storici*, pp. 229-335. In 1566 Sirleto was Charles Borromeo's candidate for the tiara, *Pastor*, vol. VIII, pp. 29 f. (Eng. edn., vol. XVII, p. 37); his bust and the inscription on his tomb in A. Grisebach, *Römische Porträtbüsten der Gegenreformation* (Leipzig 1936), pp. 107 ff.

Franciscan Jean du Conseil, who, together with Hervet and the envoy Pierre Danès represented French humanism at Trent. To form an estimate of the intensity with which these studies were pursued, stimulated as they were by the Council, we shall have to examine the correspondence of Cervini and Sirleto. By this means it is also possible to watch the first awkward steps of the rising science of patrology into the world of the Greek Fathers and Byzantine literature.

The calm days of 1545, while Massarelli, no doubt at Cervini's request, was gathering material for a history of the Papacy and of the cardinalate in the last period of the Middle Ages, as well as copying for the legate's benefit some of the acts of the early Councils, were long past. The work of the Council took up all Cervini's time and the whole of his energy, but it did not kill the cardinal's interest in the literature of Christian antiquity. In the very midst of the greatest political tension in the summer of 1546, when he had been personally threatened by the Emperor on account of his plan for a translation, Cervini begged for, and obtained from Mendoza, the imperial envoy, a manuscript of the seventeen books of Cyril of Alexandria on the worship of God in spirit and in truth: the unwritten laws of the republic of letters were above politics.<sup>1</sup> The enthusiasm for the works of classical antiquity, which during the Council of Constance sent Poggio into the libraries of the monasteries on the shores of Lake Constance, was replaced in the case of the Tridentine humanists by an equal keenness to read the Bible and the Fathers in the original text, to publish it and make use of it in the defence of the Church. But they were not on that account mere drudges of the Council. They kept an open mind for what, in those days, constituted scholarship, and not only the diplomatists among them, men like Mendoza and Danès, the editor of Pliny's *Natural History*, or Abbot Isidoro Chiari, the friend of the poet Falengo, but even Cervini himself, in spite of his multitudinous occupations. When at the end of March 1546 Maffeo informed him of the discovery in the Roman Forum of the lists of consuls (*Fasti consulares*), he asked by return of post for a copy to be made for him. Even the arts were not forgotten. Thus in the very midst of the discussions about the Bible,

<sup>1</sup> For Massarelli's historical work previous to the opening, *C.T.*, VOL. I, pp. 227, l. 8; 229, l. 11; 243, l. 22; 247, l. 17; at a later date p. 497, l. 13, and Merkle's account in the Introduction VOL. I, pp. xcvi ff. Cervini's learned exchange with Mendoza, VOL. I, pp. 570, l. 21; 586, l. 7; his order for a translation of the Mass of the Maronites, VOL. X, p. 418, l. 4; cf. M. Dorez, "Le Cardinal Cervini et l'imprimerie à Rome", *Mélanges d'arch. et d'hist.*, XII (1892), pp. 289-313; P. Costil, "Paul Manuce et l'humanisme à Padoue à l'époque du Concile de Trente", *Revue des questions hist.*, LX (1931-2), pp. 321-62.

in May 1546, Bishop Bertano took time off in order to gratify an artistic aspiration of Cardinal Gonzaga. Through Pole he had learned that the cardinal of Mantua was anxious to possess a picture of Christ by Michelangelo. On Pole's instructions Bertano offered the cardinal on 12 May 1546, a Pietà then in Pole's possession and by that artist, with the remark that if Gonzaga accepted it, the legate would not deem himself to have been robbed, for, through Victoria Colonna, he would be able to get another picture of Christ by the same artist.<sup>1</sup> The incident is only a side light, but it illustrates an aspect of the Council of which we know almost nothing.

Intellectual life and scholarly work are unthinkable without books and libraries. The building up of a conciliar library had been mooted long before the Council by a German controversial theologian, Johann Fabri, who had even submitted detailed proposals to that end; but nothing had been done,<sup>2</sup> so that the Fathers of the Council were obliged to fall back upon such libraries as they found at Trent and on the books which individual members had brought with them.<sup>3</sup>

Thanks to Prince-Bishop Hinderbach's zeal for collecting books (1465-86), the episcopal library in the castle contained a notable store

<sup>1</sup> The finding of the *Fasti consulares*, C.T., vol. x, pp. 429, l. 10; 437, l. 17. The passage on Michelangelo's Pietà in Bertano's letter to the Cardinal of Mantua, 12 May 1546, incomplete in vol. x, p. 484, n. 3, is here given after the State Arch. Mantua 1915. Art historians must decide which work is meant: "Mons. Polo ha per notitia ch'ella desidera un Christo di mano di Michelagniole et ha me imposto che io intenda secretamente la verità di cotal suo desiderio. Perchè essendo in effetto, egli ne ha uno di man propria del detto che volontieri gliele manderebbe, ma è in forma di pietà, pure se gli vede tutto il corpo. Dice che questo non sarebbe un privarsene, perciocchè dalla Marchesa di Pescara ne può havere un altro. V.S. Il<sup>ma</sup> me ne scriva."

<sup>2</sup> In his *Praeparatoria* of the year 1536 Johann Fabri suggested that six or seven copies of the works of Luther and the other reformers should be purchased and handed to each of the "conciliar nations" whose formation he still expected, C.T., vol. iv, p. 11, l. 8. He also proposed that the works of the Catholic controversial theologians should be collected, and that as many as a hundred copies of Crabbe's *Concilia omnia* should be procured together with Oecolampadius's and Capito's editions of the Fathers, *ibid.*, pp. 13, l. 47; 17, ll. 2 and 32. Morone reported on the subject on 17 December 1536, remarking that 500 ducats would not be enough for the realisation of so vast a programme, N.B.I., vol. II, p. 80. In his answer to the objections raised against the *Praeparatoria* from the curial side Fabri defended his proposals and supplied catalogues of books, C.T., vol. iv, pp. 55 ff.

<sup>3</sup> G. A. Tarugi Secchi's work *La Biblioteca vescovile Trentina* (Trent 1930), pp. 36 ff., which I have drawn upon for my text in vol. I, pp. 560 f. gives a general view of the codices—roughly 90—acquired by Bishop Hinderbach; the collection may very well have included the manuscript of the Westphalian Cistercian, Hermann Zoestius, mentioned by Pseume, C.T., vol. II, p. 742, l. 15. According to J. Lunelli, *La Biblioteca comunale di Trento* (Trent 1937), the city library of Trent acquired 2,318 volumes from the monasteries secularised by Joseph II, but it is obvious that a large portion of them were only acquired after the Council.

of manuscripts including, among other works, books on conciliar theory (the *Defensor Pacis*, Heinrich von Langenstein, Roselli), and on the reform Councils of Constance and Basle, as well as works of the humanists (Flavio Biondo, Aeneas Silvius Piccolomini). Cardinal Cles had further enriched it with a great number of printed books of the reformation period. So had Madruzzo in all probability, though the latter had turned it into a kind of museum so that, if we may believe Páez de Castro, it did not have the same importance for the members of the Council as the collection of books of that great bibliophile, Diego de Mendoza, which was transferred to Trent in the summer of 1545. This collection, besides a number of Greek manuscripts, also contained printed books on every department of knowledge (“en todas facultades”) and writings of Protestant authors (“de los Luteranos”) which Mendoza had probably acquired in the Venetian book-market. The two Franciscan convents, that of the Dominicans at San Lorenzo and that of the Augustinians at San Marco, no doubt possessed theological libraries of smaller dimensions. But it is certain that even these collections were not adequate to meet the Council’s great need of books and the intellectual requirements of its members. It may be taken for granted that the generals of Orders and their theological staff, as well as the theologians and canonists among the prelates had brought books of reference for their personal use, but we have the catalogue of only one such library.<sup>1</sup>

The Spanish crown jurist Quintana had brought from Barcelona five chests of books on canon and civil law the inventory of which has been preserved owing to the fact that when their owner died at Trent on 28 January 1547, the Trent notary Malpaga drew up an inventory of his belongings. Quintana owned the works of almost all the great canonists of the late Middle Ages, from Archidiaconus and Hostiensis to Panormitanus, as well as those of the elder contemporaries—San-

<sup>1</sup> The inventory of the books left by Quintana in G. Ciccolini, “Riflessi del Concilio di Trento nei registri del notaio Giorgio Malpaga”, *Atti della Accademia Roveretana degli Agiati*, VOL. IV, PT IX, (Rovereto 1929), published separately, pp. 22-31. Many of the authors there mentioned were utilised in Quintana’s memorial on the precedence of Ferdinand I’s envoys over the French, *C.T.*, VOL. XII, pp. 453-7. On the portable libraries of other members of the Council we have only the most meagre information. The library of the Franciscan general Lunello († 13 February 1549), to give one instance, must have been considerable. In the period from April 1545 to June 1547 Seripando spent 30 scudi on books, although he had already acquired, in previous years, a great many books on Church history and on the Councils, obviously with a view to the Council, Jedin, *Seripando*, VOL. I, pp. 291 f. (Eng. edn., pp. 247 f.). The inventory of the Bishop of Capaccio, *C.T.*, VOL. X, pp. 887 f., contains no information about books.

giorgio, Felinus and Decius, the writings of Jacobazzi and Ugoni on the Councils and the Franciscan Peter Crabbe's edition of the Councils which was much used at Trent. As the authoritative advocate of the royal prerogatives in Catalonia, Quintana had also taken with him the collections of laws of his native country and the relevant treatises of the jurists Marquilles and Mieres. It was an excellent law library—but outside his own sphere nothing interested the jurist: not one theological or humanistic title figures in the catalogue. On the other hand Quintana's library would have sufficed by itself alone for the solution of canonistic controversies.

There is considerable evidence that the formation of a large conciliar library failed to materialise not only on account of the difficulty of getting books, but likewise by reason of their high cost. As things were, the Council was an expensive affair for most of its members.

It is a principle of Canon Law that all bishops and other prelates bound to attend the Council had to make the journey and maintain themselves while it was in session at their own expense, nor could they claim any compensation for this expenditure; the only alleviation they enjoyed was exemption from the papal tenth and certain subsidies granted to them by a brief of 1 January 1546. However, the organisation of a General Council necessitated a great deal of further expenditure for the presidency, for the body of officials without which a gathering of this kind would not be able to function, for publicity and information, for the preparation of the place of assembly and for the liturgical functions of the Council and its external protection. The Council of Basle, in accordance with conciliar theory which subordinates the Pope to the Council, had constituted its own conciliar curia, while for the purpose of meeting its financial requirements it had recourse to the bestowal, on its own authority, of benefices, the seizure of moneys raised by the concession of indulgences and by the imposing of its own taxes. If the Papacy rejected the notion of the Council's superiority over the Pope it was bound to accept the financial consequences and assume the cost of the direction of the Council which it claimed for itself, and in fact exercised, as well as those of the functioning of its whole machinery. In spite of his desperate financial position Eugenius IV had made provision for the Greeks during the Council of reunion of Ferrara-Florence. At the fifth Lateran Council the Pope's expenditure was on a restricted scale on account of the assembly being held in Rome, the seat of the Curia, so that the officials of the papal court and the



curial officials—and their accommodation—were at hand while an exchange of reports and instructions between Pope and Council was unnecessary. At Trent conditions were very different.<sup>1</sup>

In a conference with Mendoza and Madruzzo, in the last days of October 1546, the legates stated that the Pope's expenditure for the Council amounted to between 50,000 and 60,000 scudi a year.<sup>2</sup> The figure is somewhat exaggerated, but when one computes all the Pope's traceable expenses, one still arrives at an annual sum of between 30,000 and 40,000 scudi. This sum is made up by the salaries, called "provision", of the three legates—500 scudi a month each—and must be described as a compensation for service and expenditure, for out of this sum they had to maintain not only their Tridentine court (37 persons in the case of Cervini) but their Roman one also. They were moreover obliged to contribute to the personal and material expenses of the Council. These salaries were remitted by the Apostolic Camera to the Giunti bank at Venice, where they were collected each month by the legates' messengers. But as early as the spring of 1545 it became evident that besides this salary the legates also needed a sum of ready money. The "poor bishops" of the dioceses of Lower Italy and those of the eastern Venetian territories were unable to meet the cost of the journey to Trent and of their stay there out of their slender revenues and were therefore in need of financial assistance. In consequence of the legates' representations made on 12 April 1545, they obtained 2000 scudi at the beginning of July. Of this sum Del Monte and Cervini took 900 scudi each, which they handed over to their personal treasurers for administration. The remaining 200 scudi were

<sup>1</sup> According to J. Haller, "Zur Geschichte des Basler Konzils", *Zeitschrift für die Geschichte des Oberrheins*, xvi (1901), pp. 233-45, the account-books of the Council of Basle have been lost. In this place Haller publishes the account of the conciliar banker Alberti, who between 31 July 1437 and February 1439 had handed out, for conciliar purposes, a round 9250 Rhenish florins. The stabling accounts of Cardinal Aleman published in *Concilium Basiliense*, vol. VIII, pp. 205-49, are of little use for our purpose. According to A. Eckstein, *Zur Finanzlage Felix V und des Basler Konzils* (Berlin 1912), that assembly ended not only in an ecclesiastical bankruptcy but in a financial one as well. The expenditure of Eugenius IV for Ferrara-Florence is given by A. Gottlob, "Aus den Rechnungsbüchern Eugens IV zur Geschichte des Florentinums", *H. J.*, xiv (1893), pp. 39-66. The mandates of the Camera in *Conc. Florentinum*, vol. III (Rome 1950), pp. 11 ff., 24 f., 31, 34 ff., and elsewhere.

<sup>2</sup> The legates' estimate of the Pope's expenditure in connection with the Council of Trent, *C.T.*, vol. x, p. 714, l. 9. My essay "Die Kosten des Konzils von Trient unter Paul III", *Münchener Theol. Zeitschrift*, iv (1953), pp. 119-32, starts from this estimate but it also supplements it. Manelli's account-book in Calenzio, *Documenti inediti*, pp. 1-150; extracts from the account-books of the Dataria in *C.T.*, vol. v, pp. lviii ff. The brief of 1 January 1546, on the exemption of the members of the Council from the papal tenth, vol. iv, pp. 545 f.

given to Ludovico Beccadelli, at that time the prospective secretary of the Council. From this fund assistance was given, in the course of the year 1545, to the Bishops of Chioggia, Bertinoro and Accia and other needy prelates and payment was also made for material expenditure necessitated by the opening of the Council, such as vestments, which were procured from Venice, candles for the liturgical services, the preparations in the chancel of the cathedral and in the Council-hall in the Palazzo Girolidi.<sup>1</sup>

Soon after the opening of the Council it became apparent that a fund of this kind was inadequate. The creation of a conciliar chest and the appointment of a responsible cashier which the legates had had in mind when they made their demand of 12 April, could no longer be circumvented, particularly in view of the impending appointment of the officials of the Council and the setting up of its technical machinery. When this was done the Roman courier brought 2000 scudi on 31 January 1546, as the foundation of the conciliar chest, and Cervini's *guardarobba* Antonio Manelli was named depository of the Council. However, it took a whole year before Rome realised that the conciliar chest had to be fed not only by occasional remittances but by regular ones. The remittance of 1000 scudi in July, and again in August 1546, was inadequate so that in November of that year the legates found it necessary to borrow 1000 scudi from the nuncio in Venice. The monthly remittance of 500 scudi to the Giunti bank at Venice only got under way a short time before the translation to Bologna.<sup>2</sup>

By far the greater part of these resources—a full third—served to relieve needy prelates and theologians. Their number varied as time went on in accordance with the effective attendance at the Council. Between the months of December 1546 and March 1547, when the work of the Council was in full swing, they numbered about fifteen. The list is headed by two refugees—the Archbishops of Armagh and Upsala. Their names are followed by those of the Archbishops of

<sup>1</sup> The sum of ready money allotted to the legates in 1545: proposal of 12 April, *C.T.*, VOL. X, p. 81, l. 22; receipt for the sum of 2000 scudi, 4 July, *ibid.*, pp. 134 f.

<sup>2</sup> Del Monte's statement in the general congregation of 18 December on the need of a conciliar chest, *C.T.*, VOL. I, p. 470, l. 8; VOL. IV, p. 534, l. 9. At this time a certain Franciscan entertained the naïve hope that the chest would be endowed with from 16,000 to 18,000 scudi and that a kind of central office for the purchase of food and of fodder for the animals would be set up, VOL. X, p. 302, l. 10. The arrival of the basic sum of 2000 scudi on 31 January 1546, *ibid.*, 353, l. 24; the 1000 scudi registered by Manelli on 16 August had been collected by him from the bank of Francesco Nasi and Co. (letters of credit for him from the legates, 12 August and certificate of receipt, 20 August, Bibl. Ricci 4, fols. 72<sup>r</sup>, 76<sup>r</sup>).

Antivari and Naxos, the Bishops of Sebenico, Melos and Chironissa—all of them from Venice's eastern possessions, and by the following prelates of the kingdom of Naples: the Bishops of Minori, Motula, Bitonto, Sora and Salpi, to whom must be added those of Tivoli and Bertinoro. With the exception of Bitonto there is only question of dioceses whose revenues were estimated, in the taxation lists of the Apostolic Camera, at less than 400 ducats a year, or whose revenues were in fact uncertain, so that their occupants would have had to stay away from the Council if left without regular subsidies. This subsidy amounted as a rule to 25 scudi a month and was paid by the depositary, as instructed by the legates. The sum was just sufficient to make it possible for these prelates to appear in accordance with their rank, as this was understood in those days, but for little more. The Archbishop of Matera, Saraceni, gave the figure of 150 scudi for his monthly expenditure; Mignanelli needed about 80 and Cornelio Musso 50 scudi. Requirements varied greatly and the art of housekeeping was unevenly distributed. Thus Galeazzo Florimonte, who had as large a household as Mignanelli, confessed to his friend Maffeo that he managed to keep seven persons and two animals on 30 scudi a month. The monthly subsidy was therefore so calculated that given economic housekeeping a bishop with from three to five familiars, would be able to make ends meet each month.<sup>1</sup> To speak of bribery in this connection would be an absurdity. The subsidy did no more than guarantee to the recipients the minimum required for maintaining themselves in accordance with their condition. Included among them were not only partisans of the legates but also prelates who defended their own opinions emphatically, as for instance Nacchianti and De' Nobili.

The conciliar theologians, most of them members of the mendicant Orders, had to be maintained by their Orders. The only exceptions were the papal theologians, as for instance Ambrosius Catharinus previous to his elevation to the episcopate. The others were regarded as the companions of their generals. As early as the spring of 1546, Seripando levied an extraordinary tax from all the Italian provinces of

<sup>1</sup> Individual payments made on instructions from the legates are in Manelli's account-book and—for the months of September and October 1546—in his statement of 8 November 1546, *C.T.*, VOL. x, pp. 886 f., Madruzzo had declared that 12 or 13 scudi a month would suffice, VOL. I, p. 377, l. 9. More than 25 scudi were paid, for instance, to the Archbishop of Armagh. There was a payment of 100 scudi on 1 December 1546 to cover a period of three months, Calenzio, *Documenti inediti*, p. 29. Information about their actual expenses supplied by Saraceni, Mignanelli and Musso in *C.T.*, VOL. x, pp. 636, l. 31; 654, l. 18; 409, l. 20. Florimonte's lower estimate, *ibid.*, p. 686, l. 24. The bishops' annual income according to Eubel-Van Gulik.

the Augustinian Order to the amount of half the annual sum due to the generalate, on the ground that the convent of San Marco at Trent was too poor to entertain the general together with three theologians and three secretaries. At the general chapter held at Venice in 1548, the general of the Carmelites, Audet, imposed a tax of 800 scudi on the Order, to defray the cost of his participation in the Council. This tax was to be paid for three successive years. The convent of the Observants at Trent, San Bernardino, where the general of the Franciscans Observant and his theologians resided, alone received a small monthly alms ("per elemosina") of 10 to 12 scudi from the conciliar chest—on account of its poverty.<sup>1</sup>

As for the salaries of the officials, we must distinguish between the higher officials who were members of the Curia and the technical personnel of the Council. The former received their pay not from the conciliar chest but, like the legates, directly from Rome, probably out of the revenues of the Dataria. The most highly paid post was that of the commissary of the Council; he received nearly as much as the nuncios, namely 100 scudi a month. His assistant, the quartermaster Antonio Pighetti of Bergamo, received 30 scudi. Next to the commissary came the auditor Pighino with 60 scudi; he was followed by the consistorial advocate Grassi with 50 scudi and the promoter Severoli who was paid 40 scudi. On the other hand the *abbreviator* Buoncompagni and the secretary of the Council, Massarelli, had to be satisfied with 10 scudi a month. The former received his salary direct from Rome, the latter from the conciliar chest like the lower officials. The master of ceremonies Pompeo de' Spiriti and the two conciliar notaries Claudius della Casa and Nicholas Driel, received 6 scudi each. The secretary of the legatine college, Trifone Benci, and the deacon Ercole Tombesi, were paid 4 scudi, but the sub-deacon Lattanzio received only 3. The highest salary, of which, however, only two-thirds came out of the

<sup>1</sup> Seripando's outlay according to *Analecta Augustiniana*, ix (1921), pp. 300 f.; that of the Carmelite general Audet in *Acta capitulorum generalium Ord. fr. B.M.V. de Monte Carmelo*, ed. G. Wessels, vol. 1 (Rome 1914), pp. 419 f. It may be that the raising of the annual contribution for the general, ordered at the general chapter of the Dominicans in 1551, was connected with the conciliar expenditure, *Acta cap. gen.*, ed. M. Reichert, vol. iv (Rome 1901), pp. 317 f. Ambrosius Catharinus received 10 scudi a month, Calenzio, *Documenti inediti*, p. 4 (6 October 1545); on 16 February 1546 he received 25 scudi "as the remainder of his provision for 3 months", *ibid.*, p. 7; on 24 March, 4 April, and so on, there follow payments of 10 scudi up to the time of his nomination to the see of Minori. As proctor, Ambrosius Pelargus naturally obtained his provision from the Archbishop of Trier, but when this failed in November 1546, on account of the War of Schmalkalden, the legates came to the rescue with 50 scudi, *ibid.*, p. 27.

conciliar chest, was that of Fracastoro, the Council's physician: it amounted to 60 scudi, one-third of which was paid by the legates. The two *cursores* Tommaso Ruggiero and Jean Roillard received their relatively high remuneration of 15 scudi direct from Rome like the rest of the curial officials.<sup>1</sup>

The low salaries of the lesser officials of the Council is accounted for by the fact that nearly every one of them was a member of the court of one of the legates, or of that of some other prelate; thus Massarelli and Manelli belonged to Cervini's "familia", Pompeo de' Spiriti and Claudius della Casa to Del Monte's, while Driel was in the service of Pighino. For them their conciliar salary was only a supplementary source of income.

The cost of keeping Rome informed was not borne by the conciliar chest but partly by the Curia and partly by the legates. The ordinary post was the care of the postmaster of Trent, Lorenzo de' Tassi. More expensive than this post were the express couriers and other messengers who were despatched to Rome in urgent cases. Only in exceptional cases were couriers paid out of the conciliar chest, namely when they were despatched to the imperial court or to Farnese during the latter's legation to Germany. Travelling expenses were also incurred on some other occasions, as when the quartermaster Pighetti was despatched to Farnese (7 August 1546), or to Venice, where he was sent to fetch the bishops residing there so that progress might be made with the debate on justification (24 September 1546). The rest of the Council's material expenditure, which can be studied in the account-books, throws light on the everyday life of the assembly. When the southerners, who were accustomed to a warm climate, began to feel acutely the sharp Alpine winter cold the chimney of the hall of the congregations in the Palazzo Girolardo was put in order, wooden foot-rests were provided to keep the prelates' feet off the cold floor and an iron charcoal basin was set up at which they were able to warm their hands. The Conciliar *aula* in the choir of the cathedral was enclosed with boards for greater warmth and the two Portuguese Dominicans, who were perishing with cold in San Lorenzo, were presented with a stove.

<sup>1</sup> Details about the remittance and collection of the legates' honorariums in Venice are found in their correspondence with Nuncio Della Casa, Bibl. Ricci 4; for example, on 5 May 1545 Del Monte sent his steward Ludovico Mengozzi "per riscotere la provision mia del mese di scudi 500 remissi a quelli di Giunti costi in Venetia" (fol. 229'). The pay of the higher officials, *C.T.*, vol. v, pp. lviii f. It is very interesting to find that the two *cursores*, on account of their being curial officials, were paid by Rome and not out of the conciliar chest, as were the secretary, the notaries and the master of ceremonies of the Council. For the *cantores* see above, p. 451, n. 1.

After *Sessio V* the commissary of the Council, Sanfelice, entertained the guard of honour of thirty men.<sup>1</sup>

If we reckon up the sums paid out by the conciliar chest and the direct payments from Rome to the legates and the higher officials, together with the sums spent on reporting, it becomes evident that the Council was a very considerable financial burden not only for the bishops who took part in it, but likewise—in fact above all—for the Curia. It is easy to see that for this reason also the Pope was unwilling to allow the assembly to be drawn out and that its early termination was likewise in his interest. The cost of the Council was one of the Pope's anxieties with regard to that assembly but not by any means the heaviest.

<sup>1</sup> The cost of the entertainment of the guard of honour at *Sessio V* amounted to not quite 10 scudi, Calenzio, *Documenti inediti*, p. 16. Work on the chimney in the hall of the congregations by Messer Giovanni Muratore cost 3½ scudi, *ibid.*, p. 26; on 10 December the carpenter Giovanni received 5½ scudi for the installation of benches and foot-stools, *ibid.*, p. 31. The *stufa* for the Portuguese Dominicans which was put up on the proposal of the conciliar commissary, cost 2 scudi and 44 baiocchi, *ibid.*, p. 30; on 5 November the legates had 13 scudi paid to the Bishop of Melos "per comprarsi una pelliccia ed altre veste per l'inverno", *ibid.*, p. 26.

### CHAPTER XIII

## The Balance of Power within the Council and the Leadership

SOUND history depends on attention to detail. A thorough study of the dogmatic and canonistic particularities of the debates was indispensable if we would ascertain the process by which conciliar decrees that made so mighty an impact upon the life of the Church came to be formulated. It was necessary to follow up, move by move, the diplomatic negotiations between Rome and Trent and between Rome and the imperial court, in order to get as close as possible to the political events amid which the Council pursued its course. Now that we have reached a break, not the end, in our journey, wearisome as it was at times, we look back and call to mind those open questions which we encountered at the start. Only a fraction of them has been answered by the march of events; many more, in fact the weightiest of them all, remain still unsolved, for so far only a fragment of the history of the Council of Trent has passed before our eyes. We must now endeavour to ascertain the forces that determined the course of the Council.

In the very first general congregation an agreement, though without a formal decision, was reached on the question of which members of the Council had the right to vote and it was decided that all bishops, both ruling and titular, the generals of the mendicant Orders and the representatives of the monastic Congregations had this right. The exclusion of the bishops' proctors and the representatives of every kind of corporation such as chapters and universities marked the essential difference in the composition of the Council of Trent from that of the reform Councils of the fifteenth century. The all-important question was, from start to finish, whether the bishops would obey the Pope's summons and by their attendance at the Council give to that assembly an unquestionable character of oecumenicity.

On the opening day the Council's effective strength consisted of no more than twenty-nine bishops and cardinals. The list of those present,

which Massarelli appends to the acts,<sup>1</sup> names 5 cardinals, 12 archbishops and 74 bishops, altogether a total of 91 bishops and cardinals. This figure, however, was never attained at any one Session. By reason of departures and fresh arrivals, the actual strength of the assembly varied all the time; thus in *Sessio V* and *Sessio VI* it amounted to 59 prelates and in *Sessio VII* to 64. To the bishops must be added the six generals of the mendicant Orders (namely the Dominicans, the Franciscans Observant and Conventual, the Hermits of St Augustine, the Carmelites and the Servites), the three abbots of the Cassinese Congregation who had one vote between them, and the proctors of the Archbishop of Trier and the Bishop of Augsburg, who had only a consultative voice. In this way, the total figure of persons at any one time entitled to a vote amounted to one hundred.

This number included prelates from nearly every European country that had preserved the Catholic faith: Switzerland, Poland and Hungary alone were unrepresented. But the most painful gap was caused by the very country which had provided the motive for the convocation—Germany, from which not a single ruling bishop had come to Trent. The auxiliary of Mainz, Michael Helling, left the city of the Council as early as 8 January 1546. Although Ambrosius Pelargus and Claude Lejay, the proctors of Trier and Augsburg respectively, were the only representatives of the German hierarchy, the legates declined to give effect to a privilege granted by the Pope, empowering them to admit the German proctors to full participation, that is, to a decisive vote.

“Participants” also, by reason of their collaboration, were the conciliar theologians. Though without either decisive or consultative voice, they intervened not only in the theologians’ congregations, the first of which was held on 20 February 1546, but apart from these gatherings they also took a share in the preparation of the dogmatic decrees. The above-mentioned general list contains 104 names,<sup>2</sup> but

<sup>1</sup> Full list of the members of the Council during the first period, *C.T.*, VOL. V, pp. 1037-41. The attendance by prelates of different nations is described in detail by Rogger, *Le nazioni al Concilio di Trento* (Rome 1952), pp. 51-116. Of special interest is P. Leturia’s paper “Perchè la Chiesa ispano-americana non fu rappresentata a Trento”, *Il Concilio di Trento*, I (1942-3), pp. 35-43. The reason was that the Spanish Crown impeded attendance by prelates of the Spanish colonies in order to forestall any kind of interference. I am conscious that my paper on the German participants at the Council in *T.Q.*, CXXII (1941), pp. 238-61; CXXIII (1942), pp. 21-39, needs to be completed by further research in the archives with regard to the attendance of German bishops at Trent. G. Alberigo, “Cataloghi dei partecipanti al Concilio di Trento editi durante il medesimo”, *Rivista di storia della Chiesa in Italia*, X (1956), pp. 345-73, examines the printed lists of members during the first period.

<sup>2</sup> The complete list of conciliar theologians, arranged according to the Orders to which they belonged, *C.T.*, VOL. V, pp. 1041-4; several lists handed in by the respective



what was said of the list of prelates applies also to that of the theologians—not all of them were present at Trent at one and the same time, Massarelli gives the number of theologians present during the debate on the sacraments as over fifty. However, not every one of those named in the list spoke in the congregations of the theologians, though this does not preclude their co-operation in the elaboration of the results of these gatherings. Thus a round hundred bishops and as many theologians participated in this first period of the Council of Trent. By themselves the figures are of little significance, but the acts furnish proof that these ecclesiastical leaders and their learned advisers from almost every country of Europe were in earnest in their search for a solution of the problems in the sphere of dogma and Church reform for which they had been convened. In both groups Italy undoubtedly furnished an overwhelming majority.

At the Council of Constance—in order to break the Italian majority—the members were grouped in five “nations” and voted as “nations”.<sup>1</sup> No serious attempt was made to introduce a similar system at Trent; canonists had long ago dropped the notion, and not only men like Jacobazzi, but even such adherents of conciliar theory as Ugoni and Gozzadini. In the era of the national States, the conciliar nations of Constance did not provide a workable principle of classification for the universal Church. But would not the abandonment of such a classification provide the legates with a permanent majority with the help of the numerical superiority of the Italians?

The existence of such a possibility cannot be denied; but the legates only had recourse to it at the time of the decision to translate the Council to Bologna. With this sole exception and after objection had been made to the exclusively Italian composition of the first conciliar commission, they took the utmost care to show equal consideration to all the nations represented at Trent in the appointment of the various committees that were set up in course of time, in the selection of their

generals are taken into account. Fluctuation was even more marked than among the prelates. According to VOL. V, pp. 12 f., twenty-seven theologians took part in the first congregation on 20 February 1546; in January 1547 Massarelli gives their number as over fifty, *ibid.*, p. 847, l. 35. For specialised studies of the participation of the Orders see above, p. 60, n. 1.

<sup>1</sup> The problem of “nations”, that is, not only that of voting according to nations, which was not introduced at Trent, but above all the formation of national groups, is thoroughly discussed by I. Rogger, *Le nazioni al Concilio di Trento*, pp. 117 ff., 139-74. The only proposal in favour of a grouping into nations that I know of was Pacheco's suggestion that the letters of the Council to princes should be signed “per natione, come si suol fare”, *C.T.*, VOL. I, p. 397, l. 1.

collaborators in the formulation of conciliar decrees, and above all in the choice of the celebrants at the liturgical functions and in the appointment of preachers. On no account must anyone's feelings be ruffled. In point of fact, however, the legates could not by any means dispose of the Italian votes as they pleased. These votes did not constitute a solid block as many opponents of the Council imagined, and still imagine them to have been.

In the debate on Scripture and Tradition, the Bishop of Chioggia, Nacchianti, maintained views which were as close to Luther's as were some of the interpretations of Sanfelice of La Cava and Giulio Contarini of Belluno in the debate on justification. Martelli of Fiesole and Vigerio della Rovere of Sinigaglia insisted on the restoration of episcopal authority with no less, or even greater vigour, than the Spaniards. In the debate on residence and during the discussion of the translation, Florimonte of Aquino sided with the Spanish party. Not content with the role of a mediator between Pope and Emperor in the political arena, Bertano of Fano also sought to be one in that of theology by reconciling Seripando's teaching of a twofold justice—an opinion only held by a minority—with the convictions of the majority. So close a collaborator of the legates as Musso of Bitonto, as well as Seripando and Bonuccio, maintained the opinion that the duty of episcopal residence was based on the *ius divinum*. Examples could easily be multiplied. Actually, it was the high officials of the Curia despatched to Trent in November 1546 for the purpose of reinforcing the legates' party who created not a few difficulties for them by their injudicious escapades. The truth is that the Italian majority was not a battalion only waiting for the legates' word of command and ready to execute it unquestioningly! Rich as it was in strongly marked personalities, it would not be commanded, though it was willing to be led—in that case it did not refuse to follow.

The legates were the Council's helmsmen, and the Pope had armed them with far-reaching powers. However, their ability as leaders had to show itself in the art of prudent leadership and this it did successfully, if not without a conflict, at least without a breach. The fundamental question as to whether or no they were the Council's only spokesmen to the outer world they circumvented by keeping back the letters to Christian princes which had been drawn up by the Council and which, it had been suggested, should also bear the signature of members of the Council. They succeeded in securing the assembly's approval of their programme for the proceedings, while they jealously guarded their exclusive right of making proposals, that is, the right of determining the

order of the day for the congregations. On the other hand, as Del Monte declared on 18 May 1546, there was no intention of preventing the bishops from laying their own proposals before the legates. At the general congregation it was the legates who gave members leave to speak, and very rare were the occasions when they stopped a speaker who happened to digress from the subject under discussion. They observed a similar restraint in calling any speaker to order. They were well aware that any unjustified curtailment of the freedom of speech and vote would jeopardise the recognition of the Council.<sup>1</sup>

It was after mature reflection that they declined to act on a suggestion by the Bishop of Bertinoro that they should control the freedom of speech by laying down certain rules (*ut patribus in sententiis dicendis modum et formam praescriberent*). Even the theologians, whose discursiveness frequently wearied the assembly, were never cut short. Restraint in this respect was necessary, because the Spaniards jealously watched over their right to speak their minds freely. Complaints that this right had been tampered with were not wanting. This was to be expected, but it is well, in each case, to have a good look at the man who made the complaint. So intractable a personage as Bishop Martelli of Fiesole would hardly be treated by the president of a modern congress with the patience with which he was borne by Cervini, and even by Del Monte. The preservation of the freedom of speech was of course in conformity with the expressed wish of the Pope. When on 24 February 1547 the Bishop of Calahorra complained of an infringement of this freedom, the Archbishop of Armagh was in a position to quote a remark made shortly before in his presence by Paul III. It was to the effect

<sup>1</sup> For the discussion on freedom of speech and vote at the general congregations of 10 May 1546 and 24 February 1547, see above, CH. III, p. 109, *n.* 2, and CH. IX, p. 362, *n.* 1. The legates admitted that during the first months the bishops felt much less hampered, *C.T.*, VOL. X, p. 447, l. 24. The Bishop of Bertinoro's proposal that rules should be laid down for the recording of the votes, VOL. V, p. 19, l. 26. Complaints of a restriction of freedom of speech were frequently heard, for instance from the Bishop of Chioggia, VOL. X, p. 894, l. 33, see H. Jedin, "Rede- und Stimmfreiheit auf dem Konzil von Trient", *H. J.*, LXXV (1956), pp. 73-93. Pallavicino (*Istoria*, BK. VII, ch. 12, ed. Zaccaria, VOL. II, p. 193) has very properly pointed out, as against Sarpi, that freedom cannot mean doing without the Pope. On the other hand he gives a one-sided definition of this freedom for he conceives it simply as freedom from external coercion: "By what means", he asks, "could the Pope compel a decision by the Fathers, in a foreign country, and without papal armed men?" The fact that the legates felt as if they were living "in a decent prison" rather suggested the opposite. Nor can I agree with him when he says that there was an excess rather than a lack of freedom, though I am at one with him in admitting that Paul III was more careful than all the later Popes of the conciliar period to avoid anything that could have been considered, with good reason, as a restriction of freedom.

that everyone at the Council was at liberty to state his opinion in matters of faith and morals, even if what he advocated were heresy, so long as he submitted to the Council. The Pope acted on this principle when Del Monte, unable to put up any longer with the crossfire of the Bishop of Fiesole, suggested that Rome should proceed against him. The proposal was rejected, with the remark: "No one must think that we want to rob the bishops of the freedom of speech."

An unmistakable proof of freedom is the existence of an opposition. It was quite obviously present in the assembly at Trent. On the other hand the Lutheran faction which Madruzzo claimed to have unmasked and of which Grechetto sent fanciful accounts to Rome, had no existence outside the imagination of these two men, but that great and profound differences of opinion were revealed in the theological discussions is abundantly demonstrated by almost every page of our narrative. They were not crushed. Some of the dissidents withdrew spontaneously from the Council, but not one of them was summoned before the Inquisition. Opposition became particularly vocal in January 1546, when the legates refused to embody in the decrees the title at one time assumed by the Council of Constance (*universalem ecclesiam repraesentans*) and insisted on dogma taking precedence of reform. Another such occasion occurred in the month of May, when in the course of the debate on preaching, the legates defended the privileges of the mendicants, and again when they opposed the inclusion of the duty of episcopal residence in the decree on preaching. The opposition was made up by members of various nations; it originated in an attempt to strengthen the authority of the bishops, an attempt based, in part, on episcopalistic notions.

There could be no question of an opposition party previous to July 1547, when the legates began to work for a translation. Only then did the adherents of the Emperor join forces for the purpose of united resistance and formed that "imperial party" which gave the legates so much trouble for several months. Their aim was to prevent the translation, or the suspension of the Council. On this point they were of one mind, but disagreed among themselves on whether they should prevent the publication of the decree on justification in any circumstances, or at least delay it. It was eventually accepted with the help of the Spanish votes. Only the projected translation to Bologna caused the "imperial party" to close its ranks once more. It numbered thirteen members at that time, a bare fourth of those entitled to a vote.<sup>1</sup>

<sup>1</sup> Opposition and formation of groups: the meetings of the Spaniards were branded as conventicles by the curialists at the beginning of the Council, *C.T.*, VOL. I, p. 349,

The only strictly national group was that of the three French Bishops of Aix, Clermont and Agde. They never took a single step of any political consequence without first ascertaining the will of their sovereign.

Only on two occasions did the legates have a feeling that they were not masters of the situation. The first time was at "the difficult start", when not yet sure of themselves and still feeling their way, they came up against a much stronger sense of their own importance on the part of the bishops than they were prepared for. The second time was in the autumn of 1546 when, as a result of the panic created by the war, the number of their adherents had dwindled while the imperial party continued to present a strong, united front. It was at this time too that they admitted that the leading personalities of the opposition—they were surely thinking of Pacheco and the Bishops of Astorga, Calahorra and Badajoz—were far superior to their own followers, both in learning and in experience of ecclesiastical affairs.

Their tactics, also, were not invariably happily inspired. The agreement of the two imperial cardinals to the suppression of the decree on the *iunctim* of dogma and reform in *Sessio* III (that is, their joint discussion) was secured by means of a ruse, but the trick cost them a loss

l. 8; Madruzzo too was forced to defend himself against this accusation, *ibid.*, pp. 386, l. 23; 388, l. 42. But why should not people from the same country and with similar convictions discuss current events among themselves? Instead of Spanish conventicles there is much more reason to speak of an episcopalistic opposition—not a party—in these first weeks; in my opinion there was no "imperial party" except on the question of the translation or suspension. It was evident that the imperial envoys observed great restraint towards the Spanish prelates—were it only by reason of the latter's strongly marked sense of their own position and their independence of character. In the Empire, on the other hand, the Emperor was believed to exercise a much wider influence, as appears from the "Schön new gemacht lied", which was composed and widely circulated at the beginning of the war of Schmalkalden, for the purpose of justifying the Emperor's enterprise:

"Ich hoff er sei nit des gesinnt  
zu helfen den mispreuchen,  
so er allain gehorsam findt,  
gar schon wirt ers vergleichen,  
damit nit alls in misprauch kum  
berufen ain concilium  
dasselbig auszustreichen."

Which may be roughly rendered thus: "I hope he is not minded to favour abuses; he alone can get himself obeyed; he will promptly see to it that abuses do not prevail and he has called a Council to abolish them." The text (ed. by O. Waldeck, *A.R.G.*, vii (1910), p. 15), speaks of the convocation of a Council when it was already assembled; but the author may be thinking of future participation on the part of the Empire.—The legates' opinion of the Spaniards, *C.T.*, vol. x, p. 710, l. 33.

of capital, in the shape of confidence, which it was almost impossible to recover. A similar result was brought about by Del Monte's crafty procedure in the general congregations of 28 and 30 July, in consequence of which the date fixed for the Session was allowed to lapse without a new one being announced. It was unwise to insist on the "small solution" of the problem of residence after it had become evident that it could not be carried through, but it was even more imprudent to open the debate only a bare fortnight before *Sessio* VI so that there was not enough time for a discussion of the problem in all its depth and extent—the fiasco of the vote was the result.

There can be no doubt that the legates' legitimate efforts to safeguard the Council's autonomy against external, non-ecclesiastical influences led them to underestimate the assembly's ecclesiastical and political aim. Responsibility for this rests mainly on Cervini. He disapproved from the beginning of the Pope's alliance with the Emperor as endangering the Church. In his opinion Germany was lost for the Church. Like a strategist who, having accepted defeat, proceeds to make entirely new plans, Cervini set the Council the task of strengthening those nations that remained faithful and of saving them for the Church by defining doctrines and by initiating a reform of the Church. In any case, the chief and really decisive role in the reform of the Church had to be played by the Pope. On the other hand, it cannot be denied that Cervini was tremendously in earnest with regard to reform. His appeal to the Pope's conscience in his letter of 23 October 1546 to Maffeo, expresses his deepest conviction—it met with no response.

In the exercise of their authority as leaders of the Council, the legates acted on the principle that Pope and Council constituted one body and jointly exercised the supreme teaching and pastoral office, though in such wise that the Pope enjoyed authority over the Council which he could either suspend or translate, while that assembly did not dispose of any jurisdiction *without* the Pope or his delegates, and even much less *against* either. This accounts for their opposition to the formula of Constance that the Council represents the universal Church, and for their insistence that the Pope must not leave the translation or suspension to the Council, but should order it himself. They saw themselves as the executive organs of the Pope's will; as organs, that is, not as mere recipients of orders. The decisive factor was that they enjoyed the Pope's complete confidence. This trust Paul III did not withdraw at any time (as at a later date Pius IV withdrew his confidence from his legates, Mantua and Seripando), not even after

Cervini had fallen into grievous disfavour with the Emperor and when he might easily have been regarded as an "encumbrance" to their mutual relations. In this relationship of mutual confidence the political shrewdness and breadth of outlook of the Farnese Pope were answered by the unquestioning loyalty and reliability of the legates.

For all that, relations between Rome and Trent were by no means uniformly harmonious. To begin with, the Pope had to get used to his legates' occasionally advocating measures suggested to them by their accurate knowledge of the situation, but which did not commend themselves to Rome. Thus it came about that in the last days of January 1546 they were blamed for yielding to pressure by the episcopal opposition, thereby failing to secure precedence for dogma over reform and accepting the *iunctim* (that is, the simultaneous discussion of dogma and reform), and for not mentioning (for well-considered reasons) the names of the opponents in their reports. The plan for a translation which they submitted on the outbreak of the war of Schmalkalden and the one for a suspension which they forwarded at the end of October, did not meet with the Pope's approval on account of the Pontiff's anxiety to avoid a premature rupture with the Emperor. On the other hand, their suggestions for the drawing up of the programme were usually listened to, for the Pope had come to see that as the men on the spot, the legates were the best judges of what should be done. After the successful termination of the decree on justification and its acceptance by means of the votes also of the Spanish bishops, their prestige, especially that of Cervini, rose to such a pitch that they felt they could risk a translation on their own authority.

The third force, namely the influence of the secular powers, was surprisingly feeble at the Council. Their representatives or *oratores* did not bear an exclusively diplomatic character—even in the eyes of Cervini—but were considered as the representation of a part of Christendom.<sup>1</sup> While the struggle for the Council was still in progress, scarcely

<sup>1</sup> Cervini's view on the significance of conciliar embassies, *C.T.*, VOL. I, p. 376, l. 11. According to Bertano one objection against the discussion of the problem of residence was that only a very few envoys were present who might have represented the standpoint of the secular authorities, *ibid.*, p. 65, l. 33.—Literature about Mendoza, *see above*, CH. VII, p. 282, *n.* 1; on Francisco de Toledo, Buschbell's paper in *H.J.*, LII (1932), pp. 356-88. The legates' discussion of the question of precedence between the envoys of Ferdinand I and the French, *C.T.*, VOL. X, pp. 546 f.; also Quintana's memorial, VOL. XII, pp. 453 ff. For Castelalto cf. G. Suster, "Francesco di Castelalto", *Archivio Trentino*, XX (1905), pp. 1-16. The names of the three Portuguese Dominicans have been given, as a rule in their Latin form; according to *Corpo dipl. Portuguez*, VOL. VI, p. 227, they were called Jorge de Santiago, Jeronymo d'Azambuja and Gaspar dos Reis; cf. also J. de Castro, *Portugal no Concilio de Trento*, VOL. II, pp. 82 ff., 96 ff.—The

a year went by without legates or nuncios journeying to the court of the Emperor and that of the French king, to work for an agreement about the convocation of the Council, the choice of a locality and the date of its assembly. Now that it had been inaugurated, the imperial ambassador Mendoza, who retained his post in Venice, had been absent for months before the arrival at Trent, on 15 March 1546, of his colleague and substitute, Francisco de Toledo. In the month of May, when there was question, in accordance with imperial policy, of preventing the publication of the first important decision in the sphere of dogma, namely the decree on original sin, both Toledo and his colleague, who by this time had returned to Trent (on 25 May), were left for weeks without precise instructions from the imperial court. When these came at last, on the eve of *Sessio* V, it was too late. Moreover, there was good reason to believe that Toledo had leanings towards the Pope's side; on at least one occasion he actually volunteered to persuade the bishops of the imperial territories to the legates' point of view. Even the far more rigid Mendoza was aware that there was no such thing as an imperial right of veto of conciliar decisions and that recourse to brute force was inadvisable. This is why, on 16 November, he concluded an agreement with Farnese which satisfied neither party. After his recall the imperial embassy was left vacant because commissions for Florence and Rome caused Toledo also to leave the city of the Council where decisive events, namely the completion of the decree on justification and the translation, materialised without the presence of an accredited representative of the Emperor.

The two envoys of Ferdinand I, Francesco Castelalto and Antonio Queta, wielded no political influence. On 2 July 1546, the legates reported to Rome that up to that time they had taken no part in either Session or general congregation. We do not know of a single instance when they approached the legates. Their absenteeism relieved the latter of a grave anxiety, namely, the threat of a dispute over precedence with the French conciliar envoys. However, the latter also, though residing at Trent since 26 June, did not take part in the ensuing Sessions VI and VIII. Their passive attitude was due to considerations of high politics. It was Francis I's pretension that the Council of Trent was no genuine oecumenical Council because it ran counter to his conciliaristic notions. However, the true motive for his aloofness was his

arrival of the Florentine agent Pietro Camaiani, *C.T.*, VOL. X, p. 380, l. 13; cf. also VOL. I, p. 481, l. 10; further information, Jedin, *La politica conciliare di Cosimo I*, pp. 346 f.; *id.*, *Seripando*, VOL. II, pp. 304, 596 ff.



anxiety to avoid sharing responsibility for its decisions, so as to make sure of a free hand for ecclesiastico-political negotiations with England and Schmalkalden. His envoys were "observers rather than *oratores*" (Rogger).

The *oratores* were entitled to assist at the Sessions and at the general congregations, in order that they might acquaint themselves with the course of the negotiations by means of personal observation; however, except at their introduction, none of them ever spoke at any of these gatherings. The three Portuguese Dominicans who presented themselves before the Council on 18 December 1545, were not treated as envoys but solely as theologians of their king. They brought a letter from their sovereign, but were not accredited as envoys. The *oratores* whose arrival was announced in the king's letter never put in an appearance. The Florentine agent, Pietro Camaiani of Arezzo, who arrived in the first days of February 1546, had no official connection with the Council. His task was exclusively that of an observer and reporter. What is surprising is that the Republic of Venice was not officially represented at Trent. However, there was no need for the Signoria to keep an agent in the city to supply information, for this could be readily obtained from the prelates and the messengers who frequently journeyed back and forth from Trent to Venice.

It follows that the Emperor alone exercised any active influence on the Council. Apart from the carefully worded warning against a definition of the Immaculate Conception, it must be granted that the Emperor refrained from direct intervention in the dogmatic discussions. He shrank from a definite veto of their continuation. Indirect action, through the bishops of his territories, proved impracticable precisely because the leading figures among them gave their approval to the promulgation of the decrees. His main objectives, namely the discussion of reform and the retention of Trent as the location of the Council, he failed to secure. The twin forces at work against him—the legates and the majority that followed their lead—proved stronger than he.

The order of procedure which enabled the Council to accomplish its task only took shape gradually as the discussions progressed. The theatre of these activities, during the whole of the period, were the plenary assemblies of the Fathers of the Council entitled to a vote, that is, the general congregations. The experiment of preparing the subjects of the discussions in three particular congregations, or classes, each of them presided over by one of the legates, which was begun on 2 February 1546, was abandoned in May of the same year on the ground that,

far from speeding the progress of the debate, it actually slowed it down. The commissions formed on the proposal of the legates for the purpose of formulating the decrees did not invariably come up to expectations. The one formed on 26 February 1546 for the decree on Scripture and Tradition, failed to agree on a workable scheme. The first draft of the decree on justification—the work of a commission—had to be dropped. The decrees on original sin and on the sacraments were formulated without the concurrence of a commission. The best work was that of the commission formed on 5 March 1546 for the purpose of drawing up a list of abuses in the use of the Sacred Scriptures. Besides eight bishops it included three theologians. Conferences of theologians and canonists chosen from the body of those entitled to a vote, convoked on 13 December 1546 and 11 January 1547, took the place of commissions. They played an important part in the settlement of the as yet unresolved controversies around the decree on justification and in the conciliation of divergent views on the question of residence. These theological congregations, whose sole object was to supply information to the bishops, were usually held at the beginning of a debate, though on a few occasions, as for instance in the case of the two *dubia* concerning justification, they were consulted even in the course of the general discussion.

The result of the wearisome discussions of a whole year were four dogmatic and four reform decrees. The decree of *Sessio* IV on Scripture and Tradition defines the canon of the Bible and—in opposition to the Lutheran principle of “nothing but the Bible”—the Catholic principle of Tradition. The two decrees on original sin and justification promulgated in *Sessio* V and *Sessio* VI respectively, closely connected as they were by reason of their content, decided the central controversy between Catholics and Protestants, that is, the question of justification, of which Luther had written that it was “an article on which he could not yield though heaven and earth should collapse”. The decree on the sacraments in general and on Baptism and Confirmation in particular, promulgated in *Sessio* VII, defines the Catholic conception of a sacrament as well as the septenary number of these institutions. However, the procedure which had been adopted in the previous debates did not remain unchanged, in fact one important question of procedure was settled, not by the Council but by the Pope. It was to the effect that the persons of the reformers were not to be included in the condemnation of their doctrines. All other questions were settled by the Council, though not all of them at one time or with one voice. The

Protestant teaching on the principle of Scripture alone, original sin and justification, was condemned without taking as the basis of the debate textual extracts from the "confessions" and other writings of the reformers. A return to the traditional method was only made in the discussion of the sacraments, but graded censures were eschewed. The decree on justification was the only dogmatic decision in which the defining canons were supplemented by a "doctrine", that is, sixteen doctrinal chapters. These chapters were conceived as the basis of the proclamation of the faith and were intended to facilitate and to speed the penetration of these fundamental conciliar definitions into the life of the Church.

Each of these four dogmatic decrees was of fundamental importance. On the other hand, it was a great delusion for the papal party to imagine that the Council's task was thereby substantially completed, for there still remained the discussion of five sacraments and the sacrifice of the Mass; a most urgently needed clarification of the concept of the Church, its intrinsic nature and hierarchical structure, culminating in the Papacy; the doctrine of Purgatory and the veneration of the Saints, which had been the object of fierce attacks since the beginning of the schism. The list of controverted doctrines which had not yet been dealt with, and which the Bishop of Badajoz used as a weapon against the plan for a translation in his vote of 10 March 1547, showed the real state of affairs—great and arduous tasks still remained to be carried out by the Church's teaching authority.

While none of the four dogmatic decrees met with any objection worth mentioning at the time of their acceptance at Trent and afterwards in Rome, the four reform decrees were the object of violent wrangling both before and after their promulgation. The reason is obvious. In this sphere the legates found themselves between two fires, namely, on the one hand the conservative conception of reform which prevailed at the Curia and among the Italian bishops, which could be described as a return to the old legislation, and on the other the radical demand of the Spaniards, the French and one group of Italians that a new spirit should be breathed into the pastoral ministry both on the diocesan and on the parochial level, if need be by means of laws with retroactive force, regardless of the century-old practice of the Curia and its interests. It had not been easy for the legates to secure Rome's toleration of the simultaneous discussion of dogma and reform which had been agreed upon by the Council, or to obtain for themselves a modest measure of freedom of movement by means of a papal declara-

tion that in principle, and within limits, the reform of the Curia might be included in the conciliar discussions.

In the first two reform decrees these tensions were not in evidence, but the Vulgate decree of *Sessio* IV encountered strong opposition in Rome, not because it was too advanced but because it was too conservative and had not taken the original Biblical languages sufficiently into account, although, as we have seen, nothing else could be done. It is questionable whether Paul III would have confirmed it as unhesitatingly as Pius IV did at the conclusion of the Council. The decisions of *Sessio* V on the training of the clergy, which in the main restored ancient legislation, did not altogether meet the requirements of the age. The same was true of the ordering of the ministry of preaching round which there had been so prolonged a contest. The full extent of the divergence between opposite tendencies only became apparent when the sensitive part of the problem of reform came to be touched, namely the enforcement of the duty of residence on bishops and parish priests. Here the reform was up against the late medieval conception of prebends and the prevailing practice in the bestowal of offices and the conferring of Holy Orders. A "small solution", which only dealt with symptoms, was useless, but "the great solution" opened up the problem of curial reform in its full extent. The solution provided by the decree on residence of *Sessio* VI was unsatisfactory; in fact it was the only one of the whole of the first period whose acceptance by the Council seemed for a time in doubt. Even with the supplementary clauses of the reform decree of *Sessio* VII, it remained a compromise which did not give complete satisfaction to either party. It is no accident that in its last period the Council took up once more the solutions arrived at in the first. Both decrees were a first instalment of the longed-for reform of the Church—no more, but also no less. The great process of internal renewal needed time.

All these discussions and activities were interrupted by the translation to Bologna. The authors of that move cherished the hope that in that city—the second in the Papal States—they would be in a position to bring the Council to an early conclusion, and with but little opposition. Their opponents viewed it as the end: "And this was the end of the Council of Trent", Prée wrote in his *Epilogue*. Both sides were to be proved wrong.

## Introduction to the Sources and to the Earlier Literature

THE story of the first period of the Council of Trent is mainly based on three groups of sources: the protocols of the discussions published in VOLS. IV and V of *Concilium Tridentinum* of the Görres-Gesellschaft, the official and private correspondence in VOL. X with the appendices in VOL. XI of the same work, and the diaries of Severoli, Massarelli, Prée and Seripando, in VOLS. I and II. The treatises collected in VOL. XII constitute a valuable supplement to the protocols. In each of these three groups we meet with the name of Angelo Massarelli, the conciliar secretary. He is by far the most important authority for the history of the Council.

Angelo Massarelli was a native of San Severino, in the province of Ancona, whose inhabitants on one occasion drew strong complaints for unruliness from the papal *governatore* when, arms in hand, they set a prisoner at liberty (report of the Bishop of Xanthos to the Pope, 4 June 1536, Vat. Arch. AA I-XVIII 6537, fol. 117). His uncle Benedetto, provost of the local collegiate church, saw to it that his nephew, born in 1510, should study law at the University of Siena. There, after seven years' study and the tenure of the office of rector, he obtained a doctorate in both Civil and Canon Law. With the support of his uncle's successor, Hieronymus Buccauratus, a Canon of St Peter's in Rome, Massarelli tried his fortune at the Roman Curia. On 1 April 1538 he became secretary to Cardinal Aleander whom he accompanied to Vicenza for the prospective Council and to Germany when Aleander was appointed legate. After the death of his employer, 31 January 1542, he entered, again on 1 April, the service of Cardinal Cervini who set him to copy Latin authors, not least on account of his beautiful handwriting. In this his colleague was Sirleto who was copying Greek manuscripts. When Cervini was preparing to set out for Trent, he sent his secretary ahead. The reason was that on his journey to Germany with Aleander, Massarelli had come to know the then dean of the

cathedral who had welcomed the legate at Pergine by order of Prince-Bishop Cles. The dean of those days was none other than the Prince-Bishop Cristoforo Madruzzo. The latter felt flattered by the fact that even after seven years Massarelli still remembered that first meeting and he accordingly began at once to show favour and to put particular trust in the modest and companionable private secretary of the legate.

As we have seen in Chapter II, Massarelli had not been originally considered for the post of conciliar secretary—an office obviously created on the model of the papal secretaries at the fifth Lateran Council—for he had not made a name for himself as a humanist—but the names of other literary celebrities had been put forward: first Ludovico Beccadelli, at one time secretary to the unforgettable Contarini, and then the poet Marcantonio Flaminio, or Aluise Priuli, a scion of a great Venetian family, both of them familiars of Cardinal Pole. However, Beccadelli had left Trent even before the opening of the Council while the other two declined the office. Thus circumstances brought it about that the secretary of the most active of the three legates gradually took over the duties of a conciliar secretary. Massarelli took his share in the execution of fair copies of the legates' reports to Rome, carried out oral commissions for them and drew up the protocol in Cervini's "class". When on 4 January 1546, on the legates' proposal, the remaining conciliar offices were filled, no decision was come to with regard to the post of a conciliar secretary—at least according to Severoli's account (*de secretario nihil actum est*, *C.T.*, VOL. I, pp. 14, l. 46); however, Massarelli's own statement which has passed into the acts (*C.T.*, VOL. I, p. 471, l. 30), that he had already been appointed at that date, is not altogether wrong inasmuch as there was an understanding that he would be allowed, for the time being, to carry out the duties he had hitherto fulfilled. These duties did not as yet include the drawing up of a protocol of the negotiations. It came most opportunely for him that the contemplated conciliar letters which it had been intended to send to Christian princes, and which the Bishop of San Marco, a celebrated humanist, had been commissioned to draw up, were never despatched owing to certain objections of a formal kind. This eliminated the competition which threatened from that quarter. What brought matters to a head was that at the end of three months the legates realised that the course hitherto followed—namely the omission of any kind of official record of the general congregations—could not go on. On Madruzzo's proposal (*C.T.*, VOL. I, p. 41, l. 7), on 1 April 1546 Massarelli was commissioned to draw up a protocol and formally appointed

secretary to the Council. At the same time he was charged, in the capacity of *scrutator votorum*, to collect the votes in the Sessions and as a protonotary, to put the acts of the Sessions into a form valid in law. It was he who distributed all proposals and drafts of the decrees to the theologians and to the Fathers of the Council. In this way the office of the secretary to the Council acquired, through its very functioning, a new content, not originally foreseen but of extraordinary importance. Massarelli became the head of the conciliar bureau on which the working of the conciliar machinery depended. At the general congregation of 1 April 1546 he officiated for the first time as clerk of the protocol. For the third time this date marked the beginning of a new period in his life.

Of the notes, for the most part very summary ones and difficult to read, which Massarelli jotted down in the course of the general congregations (we call them "original protocols") only the first volume, from 1 April to 12 October 1546, has been preserved in the *Codex Concilio* 62 of the Vatican Archives. The second volume, from 15 October up to the translation, did not get into the Vatican Archives and was vainly searched for by Merkle and Ehses. It has not been found to this day, though in the meantime we have learnt from an article by C. Frati, "Un prezioso codice degli Atti del Concilio di Trento ora smarrito", *Bibliofilia*, xxv (1923-4), pp. 272-5, that in the year 1817 it was owned by the Carmelite Evasio Leone, on the Isle of Corfu, who had obtained it with other writings of Massarelli from some of the descendants of his family then living at Fermo. The volume was bound in morocco and consisted of 1800 pages, for in addition to the original protocols it also contained the originals of a number of votes. In 1817 its owner offered in vain to sell it to Pezzana, the librarian of the Palatina at Parma. Since then nothing is known of the precious manuscript.

Anyone who has at any time acted as secretary to a meeting knows from personal experience that, unless he takes down everything that is said, like a parliamentary shorthand reporter, he can only hope to retain fragments of all that was said, and this because it seems essential to him. He is likewise conscious that his notes—shortened sentences, often enough mere catchwords—remain intelligible even for him only as long as his recollection is fresh, but that they become unintelligible as soon as memory begins to grow dim. Hence as a rule every effort is made to work out these notes as soon as possible, to fill in gaps and to complete what has only been hinted at while remembrance is still fresh. How do Massarelli's protocols stand with regard to this?

Only on rare occasions were fair copies of protocols of the congregations made immediately by the conciliar secretary, namely whenever the legates wished to forward them to Rome, as, for instance, the protocol of the congregations held on 18 and 28 May 1546 (*C.T.*, VOL. I, pp. 549, l. 6; 551, l. 18). We know, however, that Massarelli was in the habit of completing his notes immediately after the congregations. To this end he used to ask those speakers who had spoken from a script to give him their copy in order either to put it with the acts, or to check his own version, particularly with regard to the numerous quotations from the Bible and the Fathers (*C.T.*, VOL. V, pp. 172, *n.* 2; 286, *n.* 2; there is a list in the Introduction, p. xxxix, l. 10). It follows that the original protocols are by no means a mere conglomeration of unverified notes. They were at least partially revised and completed, though it has to be admitted that they are not a fair copy of a properly drawn up protocol written while recollection was still fresh. For this reason Ehses felt justified in making the above-mentioned manuscript *Concilio* 62, the main basis of his edition of the acts for the period of 1 April to 12 October 1546. But what was to be done for the last five months of this period of the Council, of which we have no longer any original protocols? When were the fair copies made on which Ehses was obliged to rely for this section of his edition?

In order to clarify this question to some extent, for on the right answer depends the value of the protocols as a source, Ehses began by collecting every fragment of information about Massarelli's work on the acts of the Council to be found in his letters and diaries between the years 1546-9 (*C.T.*, VOL. V, pp. xiii ff., xx ff.; also the letters in *C.T.*, VOL. XI, pp. 470, *n.* 1; 474; 478, *n.* 4; 483, etc.). There he found repeated allusions to fair copies of the acts of the Sessions which, as officiating protonotary, Massarelli was instructed by the promoter of the Council to make at the conclusion of each Session (*C.T.*, VOL. I, pp. 574, l. 30; 576, l. 7; 580, l. 37; probably also pp. 555, l. 5; 603, l. 9). Between 2 December 1547 and 5 February 1548, Massarelli also executed at Bologna an authentic copy of the decrees of the Council for the Archbishop of Aix (*C.T.*, VOL. I, pp. 724, l. 14; 743, l. 3) which eventually came into the hands of the research student Renouard and finally into the library of Pierpont Morgan of New York. A copy in photo-type of this manuscript was published on the occasion of the fourth centenary of the Council by Stephen Kuttner, together with a valuable introduction. Six months later, on 13 August 1548, when conciliar activity at Bologna had already come to a standstill, the fair



copy of the acts of the Council, which made a stately volume (*iustum volumen*), was authenticated by Massarelli and the notary of the Council, Claudius della Casa (*C.T.*, VOL. XI, p. 455, l. 3). On 19 September 1548 Massarelli handed to Nuncio Pighino, as the latter was about to set out for Germany in company with the other conciliar notary, Nicholas Driel, a copy of the decrees of the Council written by himself on parchment (*C.T.*, VOL. XI, p. 470, l. 7). This manuscript cannot now be traced; to the fate of the former we shall revert later. The next step was that at the bidding of the legates Massarelli made arrangements for the first printing of the conciliar decrees. This was undertaken by the Bolognese printer Anselmo Giacarelli, who finished the task on 29 October 1548. Three of the 180 copies printed are in the Vatican Archives, one of them (*Concilio* 110) is authenticated by the original signature of Del Monte and Cervini under date of 30 September 1549.

Massarelli's activity in connection with the acts of the Council was not exhausted by his authenticating the acts and decrees of the Sessions. As early as 25 November 1546 *Diarium II* contains the following note: "The *Summarium* of the Council begun *in quarto*" (*C.T.*, VOL. I, p. 588, l. 15). On 30 November the diary records the conclusion, for the time being, of his work (*C.T.*, VOL. I, p. 589, l. 19), hence it cannot have been a very large one. He took it up again at Bologna and terminated it on 13 November 1548 (*C.T.*, VOL. I, p. 809, l. 34). This *Summarium* embraces both the preparation for the Council and its progress, up to the translation, and was based on official documents and the original protocols. However, the reproduction of the acts of the Sessions was so abbreviated that at Cervini's request Massarelli recast the *Summarium* between November 1548 and September 1549. Both editions have been preserved, the shorter one, *in quarto*, *Concilio* 44, the larger *in folio* (*volumen magnum*), *Concilio* 115, of the Vatican Archives. The latter is authenticated by three notaries. We must, however, bear in mind that though both summaries were composed at a time when the writer was still chronologically close to the events, they are not fair copies but abridgements of the original protocols. For all that, owing to the loss of the original protocols, we should have to rely on them for the last five months of the Council if Massarelli had not subsequently provided a complete fair copy of all the original protocols, at a much later date it is true, namely in the years 1565-6, that is after the termination of the Council. They form the present volumes 116 and 117 of *Concilio* which Ehses used for his edition, the first as a

subsidiary source, the second as a substitute for the lost original protocols. But it is evident that at this time, nearly twenty years after the events, the author was no longer able to correct from memory possible obscurities or mistakes in the text before him, all the more so as he did not copy it himself but merely watched over the copyists whom he employed. The impulse that prompted the making of the fair copies, which reconcile us to the partial loss of the originals, came from Pope Pius IV. The Pope's intention was nothing less than the complete publication of all the protocols of the proceedings.

The father of this idea was Cervini. As early as November 1548, hence as soon as the decrees had been printed at Bologna, he urged Massarelli to prepare the protocols of the congregations for the press (*C.T.*, VOL. I, p. 809, n. 8). Massarelli, however, shrank from this "opera di lungo tempo" and contented himself with recasting the above-mentioned *Summarium*. The plan for the publication of the protocols was not pursued any further, but when after two lengthy interruptions the Council had been finally terminated, Pius IV took it up once more. In the preface of the official Roman edition of the decrees of the Council, Paolo Manuzio announces in unmistakable terms the publication of the protocols: *Reliqua concilii acta, diligentissime per scribas publicos in ipso concilio excepta et litteris mandata, mox ita emittentur, ut quaecumque res in controversiam venerit, quaecumque vel sententia dicta vel oratio habita sit, omnia, denique agitata, quaesita, deliberata suo quidem loco distincte et abundanter exponentur* (*C.T.*, VOL. V, p. xxxii).

Pius IV created a special commission of cardinals for the preparation of the protocols for the press. It included five cardinals who were well acquainted with the course of the Council, namely Simonetta, Vitelli, Sirleto, Da Mula and Paleotti. Misgivings voiced in the commission soon led to an alteration in the original plan. The commission was unwilling to print the unabridged protocols. No more than a greatly abridged edition was to be published. Massarelli set to work once more. Two versions of the shortened protocols, which were, however, more circumstantial than the summaries already mentioned, have come down to us (*Concilio* 125 and 126, with the note *Imprimenda*). But they failed to satisfy the Pope, who insisted on his original plan of a complete edition. Thereupon Massarelli had the two above-mentioned fair copies of the original protocols executed by his assistants, but under his personal and constant supervision. These, together with their continuation (*Concilio* 118-22), became the precious, carefully guarded

source of information on the proceedings of the Council of Trent. They are not copies, it is true, of the whole of the material accumulated in the original protocols but only of the protocols proper; they do not include all the original votes in Massarelli's possession over and above those in the volumes of the original protocols, such as those in *Barb. lat.*, 882 (for particulars cf. Ehses, *C.T.*, vol. v, pp. xxxv ff.). The acts of the Sessions were not rewritten. By Massarelli's order the codex written in 1548 and authenticated on 13 August, was taken to pieces for the purpose of inserting the authentic acts of the Sessions in the newly executed fair copies. Independently of this *corpus* of the protocols the Pope ordered a new fair copy of the whole of the acts of the Sessions, including the decrees, to be made on parchment for official use—for in the meantime the Council had become the foundation and inspiration of the Church's life. This copy was authenticated by Massarelli. There were also appended to it the signatures of the legates of the last period of the Council, together with those of the prelates present at the concluding Session (*Concilio* 123). This official copy is the basis of Ehses's edition of the acts of the Council.

However, all the labour of Massarelli, now an old and sick man, was in vain: the publication of all the protocols of the transactions which had been planned was not carried out and we can only make guesses at the motives. Under Pius V fear of misuse may well have outweighed the prospect of the favourable impression which publicity on so liberal a scale might have produced.

Abandonment of publication of the acts—no matter in what form—was not as yet identical with secrecy. That the latter policy prevailed after the turn of the century was essentially due to two motives. The first was the wish to prevent the acts of the Council, and with them the assembly itself, from being drawn into the controversy on grace between Molinists and Thomists, and Rome was unwilling to furnish material to the opponents of the Council who were contesting its validity and the execution of its decrees with weapons drawn from its history—to men like Gentillet and Thou in France, but above all to Paolo Sarpi and his adherents. The authorities failed to perceive that in this way the history of the Council was being handed over to its enemies.

The principle of keeping the acts secret was maintained up to the nineteenth century. Ehses's attempt to deny it was unsuccessful ("Geheimhaltung der Akten des Konzils von Trient?" *R.Q.*, xvi (1902), pp. 296-307). As late as the pontificate of Pius IX the prefect of the Vatican Archives, Augustine Theiner, met with opposition in authori-

tative quarters when he sought to include Massarelli's acts in the publication of the sources for a history of the Council of Trent which he had planned. The publication did not materialise at that time. In June 1870 Theiner was relieved of his office on account of his having handed to the opposition, which had arisen at the Vatican Council, the so-called order of procedure of the Council of Trent—a private piece of work of Massarelli which did not form part of the acts and was composed after the conclusion of the Council. Theiner, however, was in possession of copies of Massarelli's protocols and these were published at Agram in 1874, through the initiative and with the financial assistance of the bishop of the opposition, Strossmayer of Diakovár. The *Acta genuina* broke the ban of secrecy but they were not a technically satisfactory edition of the protocols. A. von Druffel pointed out its defects soon after its appearance (*Theologisches Literaturblatt*, x (1875), pp. 337 ff.) and his criticism was confirmed and enlarged both by Ehses and by G. Merkle who prepared the acts and decrees for the *Concilium Tridentinum* of the Görres-Gesellschaft.

The acts of the Council and the protocols of the proceedings are Massarelli's most important contribution to the sources of the history of the Council of Trent, but they are not the only one. Three of the seven diaries which he kept during the Council refer to the first period. At the very outset of his journey to the Council and before he could reckon with the possibility of his becoming its secretary, he began to record in a notebook, first in Latin, but from 3 May 1545 in Italian, both his personal experiences and the historic events of which he was the witness. The original of this *Diarium I*, which Merkle had long searched for in vain, was found in 1934 among Pallavicino's literary remains in the Archives of the Gregorian University. H. Lennerz gave a description of it: "Das Original von Massarellis erstem Diarium" (*Gregorianum*, xv (1934), pp. 573-6). A comparison of the texts showed that the sixteenth-century copy on which Merkle based his edition in *C.T.*, vol. I, pp. 151-404, was a relatively good text. The critical acumen of the editor is admirable and far above the blame which was very properly administered to the first editor, Woker (in Döllinger, *Ungedruckte Berichte*, vol. I, pp. 66-258). No other source contains such rich material about events connected with the legates and life in the city of the Council as this *Diarium* which unfortunately breaks off on 1 February 1546.

Jeune and dry by comparison is the so-called *Diarium II* (*C.T.*, vol. I, pp. 424-66), which goes from 6 February 1545 to 11 March 1547,

but only chronicles outside events extracted from *Diarium I* and *Diarium III* presently to be mentioned. One cannot help asking oneself what was Massarelli's intention when he drew up this *Diarium*.

Information may possibly be supplied by some notes in *Diarium III* for October and November 1546 (*C.T.*, VOL. I, pp. 581, l. 7; 582, l. 33; 585, l. 12; 586, l. 18; 587, ll. 7 and 26; 588, l. 11). When Del Monte learnt that Massarelli kept a diary, he asked for a copy for his personal use. Massarelli complied with the request, but it is most unlikely that he would have copied the whole diary with its many purely personal observations, while there is every reason to think that he provided the president with a chronicle of the conciliar acts which would be useful to him in his official capacity since the protocols were not always available. It would not be in the least surprising if Massarelli had completed this chronicle at a later date, carrying it up to the translation, and if he had added the "survey" of the antecedents of the Council from the convocation of Mantua up to the legates' entry into Trent on 4 March 1545, which he had already drawn up in the summer of 1545 (*C.T.*, VOL. I, pp. 201, l. 39; 207, l. 22; 214, l. 17). This "survey" is bound up with the chronicle in the manuscript *Concilio* 92, but it betrays its separate origin by the fact that its conclusion does not chronologically agree with the beginning of the document. Besides this first, much corrected version, the *Praeparatoria*, without the chronicle, is also found in a manuscript of the Biblioteca Estense at Modena, Cod. Campori Y.Z. 6, 3 (H. Jedin, "Un altro Autografo di Angelo Massarelli", *Rivista di storia della Chiesa in Italia*, I (1947), pp. 430 f.). The combination of the *Praeparatoria* with the chronicle provided those who had only the conciliar decrees by them and had no access to the protocols, with a ready and most desirable orientation about the external course of the Council. This is why it was frequently copied and subsequently referred to. However, it is not a primary source but belongs to the summaries (as also *C.T.*, VOL. I, pp. xci f.; VOL. V, p. xxiii, n. 4); for the historian who possesses *Diarium I* and *III* the so-called *Diarium II* is of no value.

All the more valuable is *Diarium III* (*C.T.*, VOL. I, pp. 469-626). In this diary Massarelli noted at first whatever he learnt from others about the general congregations (he did not assist at them himself), beginning with the first, that of 18 December 1545. It was therefore not meant to be a continuation, but a supplement of *Diarium I* which has almost nothing to say about the conciliar proceedings. But when with *Sessio III* the work of the Council really got going and heavier demands were

accordingly made upon his time and energy, the keeping of two diaries on parallel lines proved too much. He accordingly stopped *Diarium I* and, starting from mid-February 1546, transferred all that he had confided to its pages to the diary of the congregations (*C.T.*, VOL. I, p. 479), that is conferences which, by order of the legates, he had had with Madruzzo and Pacheco, observations on work on the drafts of decrees, letters written by him on behalf of Cervini, invitations, walks and other personal details, though less fully than before, because the increasing work of the secretariat was taking an ever heavier toll of his time. In this way *Diarium III* became a running commentary on the protocols of the proceedings and the legates' correspondence—hence a source of the first importance.

However, the congregations which at first had alone constituted the content of the diary, are only briefly mentioned from the first days of April 1546, that is, from the time when Massarelli was present at them and drew up the protocols. For their course he refers again and again to his protocols: *ut in actis a me collectis notatum* (*C.T.*, VOL. I, p. 533, l. 9); *videndum in meis notationibus* (*ibid.*, l. 19). From this time onwards the protocols and the diary coalesce into a single source whose reliability depends on the ability, the circumspection and veracity of one man. It is therefore necessary to form a picture of his personality.

Massarelli's endowments were good but not outstanding. He was a good speaker but not a brilliant stylist, and least of all a versatile man of letters. He was neither a trained theologian nor is there any outstanding achievement of his on record in the branch of learning to which he had applied himself—jurisprudence. Merkle justly observes (*C.T.*, VOL. I, p. lxxx, l. 4) that his theological and historical information lagged behind that of Cervini and Sirleto while the elegance of his Latin style did not compare with that of Beccadelli, Flaminio and Priuli. An independent judgment on political, theological or canonistic controversies was beyond his capacity. On the other hand a natural urge, of invaluable consequence for us, drove him to collect and preserve historical material. He was first and foremost a tireless worker. Proud of the office that had fallen to his lot through a fortunate conjunction of circumstances he devoted all his strength to the discharge of his duties, making it a point of honour to fulfil it to the satisfaction of his employers. When he entered upon his duties he was certainly not in major Orders but was probably only a simple cleric. Merkle's arguments (*C.T.*, VOL. I, p. lxxxv) that he was still a layman are not convincing since he was a protonotary and had been recommended for

a benefice by the legates. It was only after he had formally entered upon his functions as secretary that at the general congregation of 5 August 1546, and in compliance with the legates' wish, he appeared for the first time wearing a gown (*C.T.*, VOL. I, p. 533, l. 17)—a borrowed one—but soon afterwards he put on clerical attire (*C.T.*, VOL. I, pp. 533, l. 23; 544, l. 9; 550, l. 31).

Even if the words "worked hard" did not meet us again and again in the pages of the diary, we would be ready to take his word for it that much was asked of him. As the trusted servant of the legates he would be going backwards and forwards between the Palazzo Girolodi, the castle and the Palazzo Salvadori, in order to keep the imperial cardinals informed of the legates' plans. He helped with the correspondence, though its main weight seems to have been borne by another of Cervini's familiars, Trifone Benci (*C.T.*, VOL. X, pp. 189, n. 1; 288). He frequently worked throughout the night with the legates and the deputies on the drafts of the decrees. He wrote out the *schedae* with the proposals, the schemata of subjects, often lengthy ones, which were to be discussed in the congregations and which were collected by the bishops' secretaries. (From the statement in *C.T.*, VOL. I, p. 584, to the effect that the execution of the copies of the decrees on justification occupied nearly three days, one might infer that at this time the bishops' secretaries did not as yet make these copies themselves; on the other hand *C.T.*, VOL. I, p. 116, l. 4 (*mitterent scribas*) suggests that they did.) In his capacity of a protonotary Massarelli authenticated, whenever requested, copies of the decrees and the acts of the Sessions (*C.T.*, VOL. I, pp. 555, l. 5; 603, l. 9). He issued attestations of presence to the members of the Council to save them from having to pay the tenth (*C.T.*, VOL. I, pp. 555, l. 33; 556, l. 17; 576, l. 12; 587, l. 14), or to enable them to go on drawing their salaries as professors (*C.T.*, VOL. I, p. 574, l. 7).

In recognition of the work of their assiduous secretary the legates recommended him for the vacant Priory of San Severino in his native town, (*C.T.*, VOL. I, p. 592, l. 17; X, pp. 756, l. 13; 769, l. 19). The imperial ambassador, Francisco de Toledo, also paid him his meed of well-earned praise (*C.T.*, VOL. I, p. 543, l. 32).

This vast amount of writing could only be achieved with the help of assistants. At first some of the legates' familiars may have come to the rescue, but on 15 October 1546 Massarelli engaged the services of a secretary in the person of the priest James of Verona who, for a fee of two gold ducats a month, undertook to write eight folios daily (*C.T.*,

VOL. I, p. 580, l. 6). The choice was not a happy one and James caused his employer a good deal of annoyance. On 22 December Massarelli found himself obliged to send messengers to the members of the Council to warn them not to honour any demands for money ostensibly made by his orders (*C.T.*, VOL. I, p. 595, l. 14). James went to prison (perhaps on account of his having stood bail, as hinted in *C.T.*, VOL. I, p. 931, supplementary to p. 589, l. 10, or some other irregularities) and was, only set at liberty on 5 January 1547, through Massarelli's intervention (*C.T.*, VOL. I, p. 599, l. 17) after the latter had conferred with the prisoner's ordinary (*C.T.*, VOL. I, p. 594, ll. 9 and 34). On 22 January 1547 his place was taken by Paul of Reggio (*C.T.*, VOL. I, p. 605, l. 44).

Although Massarelli's salary as a secretary amounted to no more than ten ducats a month (*C.T.*, VOL. I, p. 560, l. 30, which agrees with Manelli's account-book) his financial status was by no means unfavourable, as appears from his expenditure on clothes, his purchases at fairs and during the days preceding Christmas (*C.T.*, VOL. I, pp. 576 f.; 578, l. 5; 585, l. 12; 598, l. 38). At Christmas he made presents of money to eleven of Cervini's familiars (*C.T.*, VOL. I, p. 595, l. 38) and lent ten ducats to the "maestro di casa" Lorenzini (*C.T.*, VOL. I, p. 585, l. 26) and gave assistance to a countryman from San Severino who had come to him in a state of destitution (*C.T.*, VOL. I, p. 584, l. 31). He was proud to be in a position to obtain admission to *Sessio V* for three people of his native San Severino who came to see him in June 1546 and who were thus able to witness the honourable role played by their countryman at the Council (*C.T.*, VOL. I, p. 554, l. 25). Many prelates treated him as an equal and invited him to their houses, not only the Bishop of Bertinoro who, in point of fact, was often in and out of Cervini's residence (*C.T.*, VOL. I, p. 571, l. 27), but likewise important personages such as Campeggio, the regent of the Chancery (*C.T.*, VOL. I, pp. 493, l. 12; 594, l. 38), and Saraceni, the Archbishop of Matera (*C.T.*, VOL. I, p. 578, l. 31). The Bishop of Cambrai practically forced him to accept his hospitality (*C.T.*, VOL. I, p. 559, l. 2). On the occasion of a Sunday excursion to Pergine the Archbishop of Siena received him in his house (*C.T.*, VOL. I, p. 569, l. 18). But what gave him the greatest satisfaction was that a prince such as Cardinal Madruzzo treated him like a confidant of long standing (*C.T.*, VOL. I, pp. 386, l. 17; 481, l. 11; 513, l. 6, etc.); graciously took leave of him as he was about to set out for Germany (*C.T.*, VOL. I, p. 547, l. 20) and on his return recounted his impressions (*ibid.* p. 559, l. 15). When the work of the secretariat permitted, Massarelli, following the example of his employer



Cervini, was glad to take walks beyond the city walls, in the direction of Cognola or Pergine, in the company of Antonio Lorenzini, the "maestro di casa", or that of some others of the familiars, such as Girolamo Bellarmino, Costantino Cini, Antonio Manelli. In the spring he looked for and inspected a summer residence for his ever-ailing master. This was the Villa Theodori, near Cognola (*C.T.*, VOL. I, p. 548, ll. 13 and 29), but in the end Cervini did not rent it. Occasionally, too, of an evening he would indulge in a mild game of cards with the Bishop of Bertinoro or the abbots (*C.T.*, VOL. I, pp. 543, l. 37; 551, l. 23; 608, l. 33). So much work required some relaxation, but this never went beyond what is permitted. His horror of the disregard of religion exhibited by one of his colleagues (*C.T.*, VOL. I, p. 558, l. 4) sprang from his simple and obviously sincere piety. On Easter Day he began by assisting at a Low Mass said by Lorenzini and later in the morning attended the High Mass at the cathedral (*C.T.*, VOL. I, p. 541, l. 10). At Christmas he went to confession to the Father Guardian of San Bernardino (*C.T.*, VOL. I, p. 595, l. 32). Another time he received Holy Communion at the hand of Cervini with the latter's familiars. This was followed in the afternoon by a pilgrimage to the shrine of the Madonna of Civizzano, the day being within the octave of the Assumption (*C.T.*, VOL. I, p. 569, l. 15).

These small stones which we have put together go to form a mosaic of Massarelli's character. If he did not possess outstanding intellectual gifts he was a good man—*homo simplex, verus ac sincerus*, says Merkle, and we would add *pius*. Though determined to "get on", he was not self-asserting; without strong personal initiative, he was exact in the fulfilment of his duties and assiduous in the execution of the orders of his superiors, in a word, he was a secretary. Inner conflicts were as foreign to his uncomplicated nature as was political ambition. His standpoint amid the great religious and political controversies that surged around him was clearly defined from the beginning: the Papacy's cause was his cause also. His good relations with Madruzzo in no way diminished his loyalty to Del Monte, who had quarrelled with the latter, and still less his devotion to Cervini, the object of the Emperor's threats. Granted that he tones down certain painful incidents, such as the collisions of the impetuous president with the imperial cardinals on 10 May, and 28 and 30 July (*C.T.*, VOL. V, pp. 134, *n.* 5; 395, *n.* 2; 398, *n.* 2), there is nowhere a trace of hatred for the opposition, or of an attempt to blacken their character, or of deliberate falsification. His weakness lies not in his will but in his ability.

Much is missing in the acts that would be useful for the history of the Council (cf. S. Merkle, "Lücken in den Protokollen des Tridentinums und ihre Ergänzung", *ZSavRG*, KA, xxvii (1938), pp. 154-79, esp. p. 161). Where we are in a position to check Massarelli's protocols with the original votes, it becomes evident again and again that his theological training was not such as would have enabled him at all times to seize the fine points of the subtle theological discourses and the votes of the Fathers of the Council. From the standpoint of the history of dogma, therefore, his protocols are of limited value and by comparison with them each original vote in our possession is worth a great deal more. Massarelli was not invariably capable of distinguishing between what was important and what was of secondary value, or to view the course of a debate as a whole, as Severoli did most successfully. From the point of view of chronology he is more reliable than the latter but he sticks to details and dwells on particular incidents and even these are not always adequately reported; thus, for instance, Del Monte's important speech on 10 January 1547 is disposed of in fifteen lines whereas Severoli devotes five times as much space to it (*C.T.*, vol. v, p. 779; vol. I, p. 119). Of much less consequence than these two weaknesses are Massarelli's errors, though they are not numerous, in his lists of members present and his summaries of the votes. "Where is the man", Merkle asks (*loc. cit.*, p. 166), "whose duty it is to follow daily, for the space of four or five hours, discourses full of subtle theological distinctions and in part difficult to understand, and to record the sequence of thought and the conclusion to be drawn from it, who will not sometimes grow weary and so fail to reproduce accurately the meaning and purpose of a discourse?"

A. von Druffel, that severe critic of all adherents of the Papacy, accused Massarelli of lying and duplicity (*Theol. Literaturblatt*, x (1875), p. 339; xi (1876), p. 393). Druffel started from an erroneous assumption, for he maintained that a diary passing under Massarelli's name and in which there are statements that disagree with the acts and diaries described above, was a genuine work of his, in spite of the fact that Döllinger, in the introduction (pp. xxi f.) to his incomplete edition (*Ungedruckte Berichte*, vol. I, pp. 39-65) had already denied him the authorship, with good reason, and ascribed it to an anonymous writer. It is some excuse for Druffel that the copy in the Barberini Library actually bears the title *Angeli Massarelli Diarium* and that it exhibits a considerable verbal agreement with the latter's protocols, and even allows the secretary to speak in the first person singular. Merkle was

the first to disentangle successfully a complicated situation. In *Concilio* 98 he found the original text of the *Diarium* from which the copies had been made, identified it as an autograph of the promoter Severoli and showed how the error had arisen (*H.ŷ.*, xv (1895), pp. 749-76; *C.T.*, VOL. I, pp. xxxvi ff.).

Of the life of Ercole Severoli we know very little. He sprang from a family which was already living in Faenza in the fourteenth century and from which there came in the sixteenth century Africano Severoli, the pro-Datary of Leo X (cf. VOL. I, p. 414) and Giustiniano, inspector of the fortresses of the Papal States under Pius IV, the one perhaps the father or the uncle, the other a brother or cousin of our Ercole. Everything seems to point to the fact that when on the initiative of his "padrone" Cardinal Ardinghello, he went to Trent (first mention on 4 June 1545, *C.T.*, VOL. I, p. 200, l. 34), where six months later he became promoter of the Council, Severoli did not yet hold a curial office, otherwise the legates' unusually warm recommendation dated 19 January 1547 (*C.T.*, VOL. X, pp. 796 f.; VOL. I, p. 604, l. 29, *pro aliquo officio in Romano curia*) would be meaningless. He probably held an attorneyship as "procuratore" (*C.T.*, VOL. X, p. 88, l. 5) which was so profitable that his by no means slender salary as promoter—40 ducats a month—lagged far behind his previous emoluments. He complained of the "grandissimo danno" arising from his employment at the Council (*C.T.*, VOL. X, p. 796, n. 1) and based his request for release from it (*C.T.*, VOL. XI, p. 299, n. 3) on the loss (*iattura*) it caused him. The offices for which he was considered were no mere first steps, but neither were they exalted positions: "governatore" of Venaissin, substitute for the *auditor camerae*, consistorial advocate. The prospect of his becoming an auditor of the Rota he himself regarded as slender (*C.T.*, VOL. X, p. 797, n. 1). On 1 February 1548 he held a benefice in the diocese of Faenza, hence he must have been a cleric. He does not seem ever to have received major Orders for they were not required for the office of a procurator-general of the fisc which he held from 1568 until his death in 1571. (The list of officials in Hofmann, *Forschungen*, VOL. II, p. 95, includes the names of laymen.) His son was Giacomo Severoli, referendary of the Segnatura from the pontificate of Gregory XIII to that of Paul V (Katterbach, *Referendarii*, pp. 173, 258).

Just as Massarelli stood in close relation to Cervini so was Severoli in intimate contact with Del Monte, though he was not a member of his "familia". The relationship of mutual trust between the two men was so well known that when on 28 January 1546 Madruzzo was con-

versing with Massarelli in Severoli's presence, he observed a remarkable restraint for he knew that the president would learn everything through him (*C.T.*, VOL. I, p. 396, l. 2). He was so thoroughly initiated into the secrets of the leadership of the Council that on 31 October 1546 the legates sent him as far as Hall to meet Farnese for the purpose of acquainting the latter in advance with the state of affairs (*C.T.*, VOL. X, pp. 714, l. 20; 722, l. 12). By Del Monte's order he went in all haste to Rovereto on 30 July, to inform Cervini of the painful incident during the general congregation of the same day (*C.T.*, VOL. X, p. 870, l. 2).

As promoter of the Council Severoli was the assembly's legal assistant and the defender of its rights. He took part in the general congregations and the Sessions and his advice was sought in connection with the legal formulation of the decrees. It was he who at the end of every Session saw to the authentication of the acts by notaries and it was his duty, after a declaration of contumacy, to initiate canonical proceedings against absentees who had no legitimate excuse for their non-attendance. It was he who heard the witnesses previous to the translation of the Council, and after it had been effected he submitted the relevant acts to the Pope. The execution of these duties required an able jurist. That he was such a one Severoli proved by the treatise *De remissionibus litigatorum* which he wrote during the Council and published at Venice in 1548 with a dedication to Del Monte.

Besides his office at the Council, Severoli was charged with yet another commission which he probably owed to his "padrone" Ardinghello, and in which he was confirmed in writing in accordance with his own demand (*C.T.*, VOL. X, p. 395, n. 2): this was to keep Cardinal Farnese continually informed about the course of the discussions at the council. This measure was not inspired by any lack of confidence in the legates, on the contrary, Severoli's reports were meant to ease the legates' task in this respect. Often enough his "brief commentaries" as he called his reports, were accompanied by letters to Maffeo, the private secretary (*C.T.*, VOL. X, pp. 400, n. 2; 429 f.; 481 f.; 485 f.; 690, n. 1). The originals of part of them have been preserved to this day (for the list cf. *C.T.*, VOL. I, p. xlvii). The register kept by Severoli, which came into the Vatican Archives with the literary remains of Cardinal Paleotti under the title *Concilio* 98, is none other than the *Diarium*, the authorship of which Merkle has restored to Severoli (*C.T.*, VOL. I, pp. 1-147). It only reports on the discussions in the general congregations—summarily on the dogmatic ones but all the more fully on the reform debates and on any incident of political import.

For the first months of the Council, up to 1 April 1546, that is, up to the time when Massarelli, in his capacity of secretary to the Council, took over the drawing-up of the protocols at the general congregations, Severoli's authority is unique inasmuch as Massarelli, for the purpose of completing the text of the conciliar acts before that date, made an abstract (*Epitome*) from Severoli's reports and made it the basis of his protocols after the event (samples of text in *C.T.*, VOL. I, pp. xlviii-lxv). Hence Severoli's unabridged text is the fullest account by an actual witness of the general congregations of this period.

But even after 1 April 1546 Severoli repeatedly completes Massarelli's protocols on important points (examples in *C.T.*: VOL. I, p. 104, ll. 2 ff.; VOL. V, pp. 779 f., cf. with VOL. I, p. 119, ll. 38 ff.; VOL. V, pp. 833 f., cf. with VOL. V, p. 284, *n.* 2, p. 395, *n.* 2, p. 398, *n.* 2, pp. 462 f., cf. with VOL. I, pp. 123 f.). His reporting is more spontaneous than that of the conciliar secretary and much less timid. Though known to be a confidant of the Curia (*C.T.*, VOL. XI, p. 13, l. 12: "criado del papa") he enjoyed the respect of the Spaniards also (*C.T.*, VOL. X, p. 748, l. 11). The legates' encomium "diligente, dotto et amorevole" (*C.T.*, VOL. X, p. 796, l. 11) we may well expand. In his *Diarium* we hear an excellent observer, well informed and able to form a sound judgment and whom the historian may usually follow without hesitation.

More than to any other man this judgment is applicable to our third authority whom we now consider—the general of the Augustinians, Seripando. G. Calenzio, *Documenti inediti*, 153-254, has published a complete but uncritical edition of his Diary (*Commentarii de vita sua*) while Merkle (*C.T.*, VOL. II, pp. 432-68) has given us the section for the years of the Council, 1545-62, with copious notes. However, this provides little more than catchwords (for a criticism of the sources, see H. Jedin, *Seripando*, VOL. II, pp. 355 ff.) but refers to another diary, *alter commentariorum liber*, on the Council. This diary, however (*C.T.*, VOL. II, pp. 399-429), only goes as far as *Sessio* II; beyond this nothing remains except fragmentary notes chiefly on the formulation of the decree on justification (*C.T.*, VOL. II, pp. 429-32). The conciliar diary, in its present form, was not written while the discussions were in progress but was drawn up by him more than ten years later when, as Pius IV's legate, Seripando was waiting for the opening of the Council. In doing so he made use of notes taken by him at the time, as well as of documents collected by him (*C.T.*, VOL. II, pp. 410; 413, l. 20), so that the work is no longer a diary properly so called but rather a beginning of a history of the Council. As might be expected from a man of

Seripando's intellectual and religious standing, his diary surpasses all the other accounts we possess of this period of the Council in its attempt to be both objective and just, even towards the Lutherans (especially in the draft of an order of procedure, *C.T.*, VOL. II, pp. 416 ff.). The pity is that the commentaries break off at the very point when the beginning of the real work of the Council put this outstanding personality in the very centre of the discussions.

Massarelli, Severoli and Seripando, though so markedly differentiated by their intellectual ability, are all three on the side of the papal legates in their review of the proceedings of the Council. Only one single *Diarium*—if it may be thus described—is in existence which views events from the standpoint of the imperial party, namely the *Epilogue* of the Belgian Laurentius Pratanus (Prée). Born in 1519, in the diocese of Cambrai, Prée had been a canon of the cathedral of Tournai and in the service of the Bishop of Cambrai, Robert de Croy, before going to the Council at a date which is in dispute. Merkle's surmise that he arrived at Trent as early as 6 April 1545, together with the proctor of the Bishop of Cambrai, Adrian Loyr (*C.T.*, VOL. I, p. 170, l. 25) is not supported by any direct source. Robert de Croy himself only arrived at Trent more than a year later, 8 June 1546 (*ibid.*, p. 553, l. 32) and only remained for a short time. By 26 August he had left (VOL. X, p. 626, l. 13). It was at this time, at the latest, that Prée entered the service of Cardinal Madruzzo whom he accompanied to the conclave in 1549 (VOL. II, p. 127) and in whose name he welcomed the Cardinal-legate Crescenzo on his arrival in the city of the Council on 29 April 1551 (Theiner, VOL. I, p. 475). All we know of his subsequent career is that in 1566 he acted as vicar of Cardinal Granvella for the Abbey of Saint-Amand-les-Eaux (also called en-Pevelle) and that in 1573 he became Archdeacon of Tournai. He died on 1 April 1577. His epitaph in the Flemish chapel of the cathedral (text in *C.T.*, VOL. II, p. li), extols his knowledge of languages and his skill as a stylist.

As its very title shows Prée's *Epilogue* is not a diary in the strict sense of the word but a retrospective survey of the course of the Council up to the translation. It was compiled immediately after that event or at any rate previous to the Council's return to Trent—hence the concluding sentence: *atque hic Tridentini concilii fuit exitus* (*C.T.*, VOL. II, p. 395, l. 10). The astrologer's prophecy of Cervini's elevation to the Chair of St Peter mentioned by him is not necessarily a *vaticinium post eventum* (*ibid.* p. 372, l. 18). His aim is to describe the progress of the Council apart from the theological debates proper—*quae extra theologorum*

*altercationes inter patres agitatae sunt* (*ibid.*, p. 368, l. 42) and this in chronological order (*ordine quo in conventibus acta sunt*). This would show in what spirit the assembly was guided by the legates—none other than a determination to prevent a reform by all manner of deceptive manoeuvres, and to prepare the way for the translation. The writer, a convinced imperialist, vents his spleen not so much on Del Monte as might have been expected from a familiar of Madruzzo, but on Cervini, whom he regards as the spiritual author of the translation (*ibid.*, pp. 386, l. 36; 388, l. 2). Although a number of mistakes and even confusions have escaped him (for instance he confuses Augsburg with Aosta, *ibid.*, p. 374, l. 35), Merkle very properly argued that statements and incidents found only in Prée and not mentioned by any other witnesses may not on that account be simply regarded as so many inventions (*H. J.*, xxxi (1911), pp. 305-22). In his capacity as Madruzzo's secretary he was in a position to question both those who were present at the public discussions and those who were acquainted with the private ones. It is probable that he even had a written source at his disposal, namely the diary consisting of five quires of the Bishop of Capaccio who died shortly before the translation. We have proof that Madruzzo's secretary Alberti took steps for its acquisition (*C.T.*, vol. x, p. 835, n. 6; H. Jedin, "Un diario del concilio andato perduto", *Il Concilio di Trento*, I (1942-3), pp. 147 ff.). If these notes of the Bishop of Capaccio were at Prée's disposal we should have a very good explanation of the fact that he was able to report the unfriendly reception of the Neapolitan bishops who came to Rome as the prospective bishops' proctors (*C.T.*, vol. II, p. 366, l. 7) and of whom Capaccio was one, and that he invariably takes particular note of the bearing of the imperial envoys and prelates. This document may also be the source of the information about the proceedings at the Council up to June 1546. In that case there would be no need to place his arrival at Trent a year earlier—a supposition for which there is no documentary evidence. What is certain is that the *Epilogue* is dominated by a very definite bias and must therefore be used with caution. It was twice printed in the eighteenth century, the first time in the *Bibliothèque Française* of Amsterdam, vol. v (1725), pp. 72-161; 278-326, probably from the original in the cathedral library of Tournai but which exists no longer. It was printed a second time in 1787 by Le Plat in vol. VII, pp. 1-30 from a transcript of the first printed text. Merkle's edition (*C.T.*, vol. II, pp. 365-95) is based on two eighteenth-century manuscripts, only one of which, *Cod.* 4240 of the Communal Library of Trent and

belonging to the literary remains of Mazzoleni, goes back to a manuscript of the Magliabecchiana of Florence, now no longer to be found, and therefore back to an independent tradition. The oldest manuscript still in existence, which formed part of Massarelli's literary remains, *Cod.* 614 of the Archives of the Gregorian University, was not yet at the disposal of the editor (cf. Jedin, *Quellenapparat*, pp. 68 f., 89).

No less valuable than the diaries and an even richer source of information for the social and cultural life of the Council is the account-book (*Libro delle spese*) of the conciliar depository Antonio Manelli for the years 1545-9, which has only been printed in Calenzio (*Documenti inediti*, pp. 1-150). The material for the edition prepared by Merkle in the third volume of the diaries was destroyed in the burning of Würzburg on 16 March 1945. Like Massarelli, Manelli was originally in the service of Cervini in the capacity of "guardarobba" and it was only in January 1546 that he took charge of the conciliar chest which had been founded in the meantime. Up to this time the fund at the personal disposal of the legates had been administered by their personal cashiers and by Beccadelli, the secretary-designate of the Council. From this circumstance we conclude that the first three leaves of the account-book are a later compilation for which Manelli obviously used his own notes and references and perhaps also those of Michelangelo, Del Monte's "guardarobba". Be this as it may, for this period we have to reckon with the possibility of some inaccuracies. Thus on 4 July 1545 the legates report to Rome that they had paid 40 scudi to each of the three bishops that had been recommended to them (*C.T.*, VOL. x, p. 134, l. 30). On 15 June the account-book notes a subsidy of 10 scudi for the Bishop of Bertinoro and on 17 July one of 100 scudi for the Bishop of Chioggia; on 22 August one of 25 scudi for the Bishop of Accia. Manelli's account to the Camera on 8 November 1546, published by Buschbell in *C.T.*, VOL. x, pp. 886 f., seems to show that he was in the habit of rendering an account every other month. The expenses listed there are found in the account-book, and even in greater detail. On the other hand the extracts from account-books of the Dataria published by Ehses, *C.T.*, VOL. v, pp. lviii f., are real addenda to Manelli's account-book inasmuch as they show payments made from the conciliar chest.

The chief source for a presentation of the political history of the Council is the official correspondence (*Commune*) of the legates with the Cardinal-nephew Alessandro Farnese and, during the latter's absence



from July to December 1546, with his substitute Guido Ascanio Sforza, Cardinal of Santa Fiora, a son of Costanza Farnese, Paul III's daughter. Of this correspondence, the senders' drafts are preserved almost in their entirety among Cervini's literary remains, the *Carte Cerviniane*, in the State Archives of Florence (Filza 5-12; cf. *C.T.*, VOL. X, pp. xviii f.) while the recipients' copies are in the *Carte Farnesiane* of the Vatican Archives and the State Archives of Naples. The Pope is only approached directly by the legates in exceptional cases (*C.T.*, VOL. X, pp. 707 ff.; 594 f. and 601, *n.* 1 are letters of credence). Although Cervini, an adept in the use of the pen, made the greater contribution to the drafting of reports, these nevertheless betray in many places Del Monte's temperament and mode of expression, in fact the latter introduces himself in the first person singular (*C.T.*, VOL. X, p. 654, l. 36; cf. J. Müller in *Z.K.G.*, XLIV (1925), pp. 418 ff.). Difference of opinion between the two legates never went so far that their private correspondence with the cardinal-nephew affected their joint planning and acting. However, hardly anything remains of Del Monte's private correspondence. Cervini's epistolary activity is therefore all the more remarkable. He took advantage of his friendly relations with Bernardino Maffeo, Farnese's private secretary, to pass on to the Pope, in a confidential and friendly way, thoughts and suggestions which he was unwilling to entrust to the official correspondence with the nephew; hence the correspondence between Cervini and Maffeo is scarcely less important for the history of the Council than the official, *Commune*, correspondence of the legates.

A considerable portion of the legates' correspondence, up to the end of June 1546, had already been printed by A. von Druffel in *Monumenta Tridentina* (1884-99), on the basis of the *Carte Cerviniane*, when Gottfried Buschbell published the whole of it, up to the translation, in *C.T.*, VOL. X (1916). He also included at least the most important pieces of the legates' correspondence with the nuncios at the imperial court and in France; much of the former had already been taken note of in *Nuntiaturberichte aus Deutschland*. To the extensive correspondence with the nuncio in Venice, Giovanni della Casa—125 legatine letters in all—Buschbell had no access. It became the property of Cardinal Ricci and is now preserved in the Biblioteca Ricci at Montepulciano as *Cod.* 4. It yielded but little for the political history of the Council but gave a good deal of information about attendance of Venetian bishops, finances, books and other practical matters for which the assembly depended on the nearby metropolis.

A second category of official reports on which the historian of the Council should base himself would be the ambassadors' reports on the Council. However, in the supplement to his first volume of letters (*C.T.*, VOL. XI, pp. 3-129), Buschbell has only been able to bring together a fairly considerable number of reports of the imperial envoys Diego de Mendoza and Francisco de Toledo and the three Spanish Crown jurists who for a time represented the Emperor's interests at Trent. These reports are supplemented by letters of Cardinal Pacheco and the Bishop of Astorga as well as by reports of the Roman ambassador Juan de Vega and the Spanish Crown cardinals. On the other hand we possess next to nothing of the reports of the three French envoys and very little of those of Ferdinand I's two representatives, Castelalto and Queta: G. J. Planck, *Anecdota quaedam ad hist. concilii Tridentini pertinentia*, fasc. 13 (Göttingen 1804), pp. 3-6; the letters published in fasc. 24 (1817) belong to the year 1545. Of Pietro Camaiani, Cosimo I's agent, we have only a few brief extracts, cf. Jedin, "La politica conciliare di Cosimo I", *Riv. stor. ital.*, LXII (1950), pp. 346 f. Cardinal Gonzaga, the regent of Mantua, needed no agent to obtain news of Trent; Vida, Bertano and other prelates kept him informed and the busy traffic on Lake Garda carried the latest news from the Council to the ducal castle. The Duke of Ferrara's informant was the Abbot of Pomposa and that of the Republic of Lucca, Benedetto de' Nobili. On the other hand no trace remains of the copious information that must have reached the Signoria of Venice.

Buschbell has printed the full text of only a very small part of nearly 1500 letters of the period between the opening and the translation of the Council, but made use of the greater part in his footnotes. Most of these letters are private communications from or to members of the Council. Often enough they report what has long been known, or deal with purely personal matters, but now and again they throw fresh light on things so that they should not be underestimated. Even if the writers were not initiated into all the mysteries of conciliar policy, they reflect the state of mind of the average member. In the letters from Rome to Trent, in G. B. Cervini's letters to the cardinal, for instance, and in those of Cattaneo to Madruzzo, we find many things that we miss in the official instructions for the legates but which throw light on those directives. To this group belong the letters of Giovanni Bianchetti to the nuncio in Venice of which we are the first to make use. They are preserved in *Cod.* 5 and 6 of the Biblioteca Ricci at Montepulciano. For the rest Buschbell's researches at Simancas and

in the Archives of the smaller Italian princes, especially those of the Gonzaga and the d'Este, were so thorough that very little supplementary material had to be added.

For particulars the reader is referred to the introductions with which Ehses, Merkle and Buschbell preface the volumes of *Concilium Tridentinum* published by them. There recent research has been taken note of and supplemented by personal observation. A brief orientation on the formation of the sources is furnished by my *Überblick über die Erforschung der Geschichte des Trienter Konzils*, pp. 13-39.

Among the earlier general accounts of the first period of the Council those of Sarpi and Pallavicino must be assessed because they represent two contrary conceptions of that history which have imposed themselves on the European mind for nearly three hundred years. We have already reviewed the circumstances that led to the writing of both works; hence we need only discuss briefly their reliability and their bias.

Paolo Sarpi's *Istoria del Concilio Tridentino*, published in London in 1619 under the pseudonym of Pietro Soave, views the Council of Trent as a highly successful deceptive manoeuvre on the grand scale, engineered by the Roman Curia, by means of which it renewed its power, though at the price of the perpetuation of the division of the Church and the abandonment of a genuine reform which, in Sarpi's mouth meant a reform on episcopalistic and Gallican lines. In classical Italian, which is admired to this day, he gives a seemingly temperate description (BOOK II, Ch. 2-10) of the first period of the Council while it actually quivers with fierce hatred for the Curia. In that account Sarpi fills the gaps in his sources with conjectures and even with downright inventions, to what extent it has not been, and perhaps never will be, possible to ascertain. At the very least, suspicion is raised when in the first congregation of theologians, on 20 February (II, 3, Gambarin, VOL. I, pp. 239 f.), he puts into the mouths of the Franciscan Lunello and the Carmelite Marinarius discourses on the problem of the sources of the faith of which no protocol, no diary, no letter tells us anything, but the content of which is remarkably in agreement with known discourses of Alfonso de Castro and the Bishop of Chioggia. In the mouth of Cardinal Pole he puts an invective against Marinarius which is utterly at variance with the cardinal's peaceable nature. If there is question here of discourses in the reporting of which it might be supposed that Sarpi, acting in the manner of the ancients on whom

he modelled himself, claimed far greater freedom than we are prepared to concede, his method is wholly inexcusable when he enumerates (II, 4, Gambarin, VOL. I, p. 274) nine articles as forming the basis of the debate on original sin of which there is not a trace in the acts (that they are an elaboration of the thirteen errors, *C.T.*, VOL. V, p. 212, as Ehses thinks, *H.Ź.*, XXVII (1906), p. 71, is beside the point); on the contrary, we know for certain that no collection of theses, but questions were put at the beginning of the discussion of original sin. The same proceeding is repeated when he comes to the discussion of justification. According to Sarpi (II, 5, Gambarin, VOL. I, pp. 305 ff.) twenty-five articles were debated up to 20 August which are not identical with the "errors" attested by the protocols, *C.T.*, VOL. V, pp. 281 f., and which have nothing to do with the first formulation of the decree on justification, *C.T.*, VOL. V, pp. 484 ff., and on which the last vote was taken in the general congregation of 17 August. We can only assume that he himself put these twenty-five articles together. Of a special debate on the problem of free-will and predestination which according to Sarpi was based on six Lutheran articles (Gambarin, VOL. I, pp. 330 f.), and eight Zwinglian ones (Gambarin, VOL. I, pp. 335 f.), there is not one word in the acts.

Why did Sarpi allow the difference of opinion on the acceptance of the decree on residence in *Sessio* VI—one so painful for the legates, but which would have suited his views—to escape his notice? There can only be one answer: there was nothing about it in his sources. Inadequately informed as he was, he states that the canonists discussed abuses in the administration of Baptism and Confirmation during the interval between *Sessio* VI and *Sessio* VII (II, 8, Gambarin, VOL. I, pp. 392 f.) while in fact they were only submitted for discussion on 26 July 1547 at Bologna (*C.T.*, VOL. VI, pp. 302 f.). He claims (II, 9, Gambarin, VOL. I, p. 408) to have had in his hands a memorial on reform drawn up by Spanish bishops and comprising eleven points, which he asserts was submitted to the legates on 3 February 1547, hence at the same time as the draft of the thirteen reform chapters (*C.T.*, VOL. V, pp. 871 f.) We know these eleven points. They were not a memorial presented by the Spaniards but extracts from their votes made by the legates and incorporated in their report of 6 February (*C.T.*, VOL. X, pp. 808 f.). It is inconceivable that the legates could have ignored such a memorial, which constituted a highly important political incident, both in their report to Rome and in the course of the debate. We must assume that Sarpi found these eleven points in the material at his disposal, but was

ignorant of their origin and so inferred that there was question of a Spanish memorial.

These examples may suffice. There can be no question but that a series of articles on original sin and justification, that is, official documents which have not been preserved in the secretariat of the Council, nor in the literary remains of any member of that assembly, could have come into Sarpi's hands by means that cannot be verified. He must have put them together himself with the help of other, genuine material at his disposal, but which he was unable to fit in chronologically; and that surely means that he invented them. On the other hand this serious allegation might be excused when, like Xenophon and Tacitus, his models, he puts in the mouths of bishops and theologians discourses that they might conceivably have pronounced; he might be excused when the criticism of the decree on justification (II, 7, Gambarin, VOL. I, pp. 363 ff.) which he ascribes to others, is in reality his own.

Ehse's question: "Did Sarpi, when writing his history of the Council of Trent, draw from sources which have ceased to flow?" (*H. J.*, xxvi (1905), pp. 299-313) need not be answered with a simple, categorical "No". It is perfectly possible that among Sarpi's sources there may have been items which we do not possess. The losses suffered by the Venetian State Archives and those of the Archives of the Servites preclude any kind of verification, but the arbitrary way in which he uses his sources in cases where we are in a position to check his statements makes it impossible to rely on the information he supplies and deprives it of all value. Sarpi had political talent; he could question history. He was a gifted writer and a master of the Italian language—as a historian he cannot be relied upon.

It was easy for Sarpi's opponent Pallavicino, in view of the copious material at his disposal in Rome, the greater part of which had already been collected for him by his industrious and circumspect predecessor Terenzio Alciati, to prove Sarpi guilty of a whole series of errors. The apparatus of his sources, with which the editors of *Concilium Tridentinum* were not yet acquainted (for the inventory cf. Jedin, *Quellenapparat*, pp. 85-99), comprised some eighty volumes, without counting manuscripts temporarily loaned to him and Massarelli's volumes of the conciliar acts which he was able to consult. His use of the latter source can be controlled by means of his quotations from it, which is not the case with Sarpi. We grant that nearly all the sources were of curial origin and that scarcely any of the opposite viewpoint are to be found among them. Every historian depends on his sources—Pallavicino is

no exception. Before all else we must take note of the purpose that guided him in the composition of his history. His book is an advocate's plea, based on a whole portfolio of documents against an inadequately equipped opponent. His intention was to provide an *apologia mescolata d'istoria*, not an impartial history. For all that, his account of the first period (BOOKS VI-IX; Zaccaria, VOL. II, pp. 77-275; III, pp. 11-79), is twice as extensive as Sarpi's and approaches much more closely to historical reality than that of his opponent, were it only for the simple reason that it keeps close to the excellent sources from which it draws. In spite of the criticism to which Ranke subjects both him and Sarpi in his famous *Excursus*, the fact remains that in his account of the facts he relies chiefly on Pallavicino, not on Sarpi. But since we are now in possession of his sources—and even of more sources than he had at his disposal—it would not be worth while to test his story continuously or to quarrel with his views and opinions.

"All historians who wrote after Sarpi and Pallavicino", the Marquise de Forbin-d'Oppède wrote in her *Étude Historique sur le Concile de Trente*, published in 1874 under the assumed name of L. Maynier, "have been content to copy them or to adapt them". Two completely contradictory conceptions of the history of the Council were face to face. Adherents of Sarpi, men like the one-time Oratorian Le Vassor and the one-time Protonotary Aymon, sought to weight the scales in favour of the model they admired by means of the publication of secret correspondence (Vargas, Visconti). Equally in vain did such keen collectors as Lagomarsino and Zaccaria endeavour to justify Pallavicino, the one by the publication of the Poggiani letters, the other by his great annotated edition of Pallavicino. Only recourse to the two chief sources, that is, to the acts and the correspondence of the legates, could settle the matter, but not to the collection, useful though it is in itself, made by the Louvain jurist Le Plat (1781-7) of all the material that was then known; his *Monumenta* were more or less *membra disiecta*.

Notwithstanding the varied enrichment of our knowledge of the sources which the nineteenth century has brought us, Döllinger's friend, the Marquise Forbin-d'Oppède, was conscious of the fact that her own *Étude* had nothing of decisive value to offer for she too had no access either to the acts or to the legates' correspondence. However, Theiner's *Acta genuina* appeared in that same year 1874, but the Marquise, from motives which it is impossible to ascertain, did not carry her cautious work—equally instinct with love of truth and love of

the Church—beyond the year 1562. She died on 28 February 1884 (cf. St Lösch, *Döllinger und Frankreich*, Munich 1955, p. 486). Döllinger and Druffel who, besides the Oratorian Calenzio, continued through the ensuing years their investigation of sources in the publications already mentioned (Döllinger's *Ungedruckte Berichte* 1876, Druffel's *Monumenta Tridentina* from 1884), knew only too well the vast amount of work that had to be done on the foundations before it would become possible to raise on them the edifice of a new history. As a matter of fact, owing to their being at variance with the Church since the Vatican Council, it would have been difficult for them to view the subject with the serenity which is indispensable for the study of history.

The opening of the Vatican Archives by Leo XIII laid the foundations for a critical edition, in accordance with modern standards, of all the available sources, the most important of these being, naturally, the acts and the correspondence of the legates. At the instigation of Heinrich Denifle (cf. A. Walz, *Analecta Denifleanza*, Rome 1955, pp. 30 f.), the directors of the Görres-Gesellschaft decided on 16 May 1894, to publish the "Acts of the Council of Trent", and after Heinrich Fink and Johann Peter Kirsch had ascertained the contents of the Vatican Archives, they secured, in the persons of Merkle and Ehses, outstanding editors of the diaries and the acts. These editors were subsequently joined by Vincent Schweitzer for the treatises and by G. Buschbell for the correspondence (for further details, cf. Jedin, *Überblick*, pp. 195-213). The ideal solution would have been if either Ehses or Merkle, familiar as they were with all the particulars, thanks to a decade's work on the sources, had ventured on a new history of the Council.

Although he was by then nearing death, Ehses did make a start, but only a few pages were written when he died in Rome on 19 January 1926. Merkle, who had worked longer than any of the others on the sources, a man profoundly conscious of the historical greatness of the subject and himself a masterly interpreter of history, deliberately declined the task. Although the *Concilium Tridentinum* is not yet complete, the material so far published enabled the theologian Richard from Louvain, in 1930-1, to publish a continuation of Leclercq's French edition of Hefele's *History of the Councils*, composed in accordance with the descriptive method of the complete work. This was followed in 1938 by an extraordinarily handy, annotated edition of the decrees by Michel. These two works are not rendered superfluous by our presentation of the subject-matter which pursues a different aim.

# Bibliography and Abbreviations





## Bibliography and Abbreviations

Exclusive of works referred to only once, especially such as deal with the history of dogma, and older works rendered superfluous by *C.T.*

*Acta genuina*, see Theiner.

*A.F.P.* = *Archivum fratrum Praedicatorum*, Berlin 1931 ff.

Alberigo G., "Cataloghi dei partecipanti al Concilio di Trento editi durante il medesimo", in *Rivista di storia della Chiesa in Italia*, x (1956), pp. 345-73.

Allgeier A., "Das Konzil von Trient und das theologische Studium", in *Hist. Jahrbuch*, LII (1932), pp. 313-39.

—, "Erasmus und Kardinal Ximénez in den Verhandlungen des Trienter Konzils", in *Spanische Forschungen der Görres-Gesellschaft*, IV (1933), pp. 193-205.

—, "Ricardus Cenomanus und die Vulgata auf dem Konzil von Trient", in Schreiber, *Weltkonzil*, VOL. I, pp. 359-80.

Arendt P., *Die Predigten des Konstanzer Konzils*, Freiburg 1933.

*A.R.G.* = *Archiv für Reformationsgeschichte*, 1903 ff.

Auer J., "Die 'scotistische' Lehre von der Heilsgewissheit", in *Wissenschaft und Weisheit*, XVI (1953), pp. 1-19.

Bataillon M., *Erasme et l'Espagne*, Paris 1937.

Beccadelli L., see Morandi.

Beltrán de Heredia V., "Domiño Soto en el Concilio de Trento", in *Ciencia Tomista*, LXIII (1942), pp. 113-47.

Bernays, see *Politische Correspondenz der Stadt Strassburg*.

Boyer C., "Il dibattito sulla concupiscenza", in *Gregorianum*, XXVI (1945), pp. 66-84.

Brandenburg E., *Politische Korrespondenz des Herzogs und Kurfürsten Moritz von Sachsen*, VOL. II, Leipzig 1904.

Brandi K., *Kaiser Karl V*, 3rd ed., Munich 1941; Eng. edn., *The Emperor Charles V*, London 1939.

—, *Quellen* = *Quellen und Erörterungen*, Munich 1941.

*Bullarium Romanum*, VOL. V, Turin 1860.

Buschbell G., *Reformation und Inquisition in Italien um die Mitte des 16. Jahrhunderts*, Paderborn 1910.

—, "Francisco de Toledo und seine Tätigkeit in kaiserlichen Diensten während des ersten Abschnittes des Konzils von Trient", in *Hist. Jahrbuch*, LII (1932), pp. 356-88.

—, "Die Sendungen des Pedro de Marquina an den Hof Karls V im Sept.-Dez. 1545 und Sept. 1546", in *Spanische Forschungen der Görres-Gesellschaft*, IV (1933), pp. 311-53.

# BIBLIOGRAPHY AND ABBREVIATIONS

- Buuck F., "Zum Rechtfertigungsdekret. Die Unterscheidung zwischen fehlbarem und unfehlbarem Glauben in den vorbereitenden Verhandlungen", in Schreiber, *Weltkonzil*, VOL. I, pp. 117-43.
- Calendar of Letters* = *Calendar of Letters, foreign and domestic, relating to the reign of Henry VIII*, edd. J. S. Brewer, J. Gairdner etc., 25 Vols., London 1875 ff.
- Calenzio G., *Esame critico-letterario delle opere riguardanti la storia del Concilio di Trento*, Rome 1869.
- , *Doc. ined.* = *Documenti inediti e nuovi lavori letterarii sul Concilio di Trento*, Rome 1874.
- Casadei A., "Proposte e trattative per l'apertura e per il trasferimento del Concilio a Ferrara", in *Il Concilio di Trento*, I (1942-3), pp. 243-71.
- Castro J. de, *Portugal no Concilio de Trento*, VOL. II, Lisbon 1944.
- Cavallera F., "Le décret du concile de Trente sur le péché originel", in *Bulletin de littérature ecclésiastique*, V (1913), pp. 241-58, 289-365.
- , "Le décret du Concile de Trente sur les sacrements en général", in *Bulletin de littérature ecclésiastique*, VI (1914), pp. 361-77, 401-25; VII (1915), pp. 17-33, 66-88; IX (1918), pp. 161-81.
- , "La Bible en langue vulgaire au Concile de Trente", in *Mélanges E. Podécharde* (1945), pp. 37-56.
- Cerchiari E., *Sacra Romana Rota*, 4 Vols., Rome 1919-21.
- Cereceda F., *Diego Laínez en la Europa religiosa de su tiempo*, 2 Vols., Madrid 1945.
- Chabod F., *Storia religiosa dello stato di Milano durante il dominio di Carlo V*, Bologna 1938.
- Cherubelli P., *Il contributo degli ordini religiosi al Concilio di Trento*, Florence, n.d. [1945].
- Ciccolini G., "Riflessi del Concilio di Trento nei registri del notaio Giorgio Malpaga", in *Atti della Accademia Roveretana degli Agiati*, VOL. III, PT 9, Rovereto 1929 (printed separately).
- Concilium Basiliense. Studien und Quellen zur Geschichte des Concils von Basel*, 8 Vols., Basle 1896-1936.
- Concilium Constantiense* = *Acta Concilii Constanciensis*, 4 Vols., Münster 1896-1928.
- Corp. Ref.* = *Corpus Reformatorum*, Halle 1834 ff.
- C.T.* = *Concilium Tridentinum: Diariorum, actorum, epistolarum, tractatum nova collectio*, ed. Görres-Gesellschaft, Freiburg 1901 ff. The following are chiefly quoted: VOL. I (Diaries) ed. S. Merkle, Freiburg 1901; VOL. II (Diaries) ed. Merkle, Freiburg 1911; VOL. IV (Acts) ed. S. Ehses, Freiburg 1904; VOL. V (Acts) ed. S. Ehses, Freiburg 1911; VOL. X (Letters) ed. G. Buschbell, Freiburg 1916; VOL. XI (Letters) ed. Buschbell, Freiburg 1937; VOL. XII (Tractates) ed. V. Schweitzer, Freiburg 1930.
- Denzinger H. and Umberg J. B., *Enchiridion symbolorum*, 26th edn., Freiburg 1947.

# BIBLIOGRAPHY AND ABBREVIATIONS

- Dittrich F., *Regesten und Briefe des Kardinals Gasparo Contarini*, Braunsberg 1881.
- Döllinger J. J. I., *Beiträge zur politischen, kirchlichen und Culturgeschichte der sechs letzten Jahrhunderte*, 3 Vols., Munich 1862-82.
- , *Ungedruckte Berichte und Tagebücher zur Geschichte des Concils von Trient*, VOL. I, Nördlingen 1876.
- Dormer D. J., *Progresos de la historia en el Reyno de Aragón*, no place or date of publication [1678].
- Draguet R., "Le maître Lovaniste Driedo inspireur du Décret de Trente sur la Vulgate", in *Miscellanea A. De Meyer*, Louvain 1946, pp. 836-54.
- Druffel A. von, *Briefe und Akten zur Geschichte des 16. Jahrhunderts*, VOL. I, Munich 1873; VOL. III, 1875.
- , *Monumenta Tridentina*, fascicules 1-5, Munich 1884-99.
- , *Die Sendung des Cardinals Sfondrato an den Hof Karls V. 1547-8*, Munich 1892.
- D.Th.C.* = *Dictionnaire de Théologie Catholique*, Paris 1909 ff.
- Ehses S., "Ambrosius Pelargus auf dem Konzil von Trient", in *Pastor bonus*, IX (1897), pp. 322-8, 561-7; XIX (1906-07), pp. 538-43.
- , "Hat P. Sarpi für seine Geschichte des Konzils von Trient aus Quellen geschöpft, die jetzt nicht mehr fließen?", in *Hist. Jahrbuch*, XXVI (1905), pp. 299-313.
- , "Das Konzil von Trient und die Übersetzung der Bibel in die Landessprache", in *Dritte Vereinsschrift der Görres-Gesellschaft für 1908*, Cologne 1908, pp. 37-50.
- Emmi B., "Il decreto tridentino sulla Vulgata nei commenti della prima polemica protestantino-cattolica", in *Angelicum*, XXX (1953), pp. 107-30.
- Fracastoro G., *Scritti inediti*, ed. F. Pellegrini, Verona 1955.
- Fransen P., "Reflexions sur l'Anathème au Concile de Trente", in *Ephemerides theol. Lovanienses*, XXIX (1953), pp. 657-72.
- Freudenberger Th., *Augustinus Steuchus*, Münster 1935 [=Reformationsgeschichtliche Studien und Texte, fascicules 64-5].
- Friedensburg W., see *Nuntiaturberichte aus Deutschland*, VOL. I, PTS 8 and 9.
- Gabriel a Virgine Carmeli, "Die Karmeliten auf dem Konzil von Trient", in *Ephemerides Carmelitanae*, XXII (1950), pp. 291-359.
- Gambarin, see Sarpi.
- Geiselmann J. R., "Das Missverständnis über das Verhältnis von Schrift und Tradition in der katholischen Theologie", in *Una Sancta*, XI (1956), pp. 131-50.
- Gerber, see *Politische Correspondenz der Stadt Strassburg*.
- Giuliani C., *Trento al tempo del Concilio*, Trent 1884.
- Giuriato A. M., *Le tradizioni nella IV Sessio del Concilio di Trento*, Vicenza 1942.
- Gofi Gaztambide J., *Los Navarros en el Concilio de Trento y la reforma tridentina en la diócesis de Pamplona*, Pamplona 1947.

# BIBLIOGRAPHY AND ABBREVIATIONS

- González Palencia A., Mele E., *Vida y obras de Don Diego Hurtado de Mendoza*, 3 Vols., Madrid 1941-3.
- González R., "La doctrina de M. Cano en su Relectio de sacramentis y la definición del Tridentino sobre la causalidad de los sacramentos", in *Revista española de Teología*, v (1945), pp. 477-96.
- Grisar H., *Luther*, 3 Vols., 3rd edn. Freiburg 1924-5: Eng. edn., 6 Vols., London 1913-17.
- Gutiérrez C., *Españoles en Trento*, Valladolid 1951.
- Gutiérrez D., "Los Agostinos en el Concilio de Trento", in *Ciudad de Dios*, CLVIII (1946), pp. 385-499.
- Hefner J., *Die Entstehungsgeschichte des Trienter Rechtfertigungsdekretes*, Paderborn 1909.
- , *Voten vom Trienter Konzil*, Würzburg 1912.
- Heidrich P., *Karl V und die deutschen Protestanten am Vorabend des Schmalkaldischen Krieges*, in two parts, Frankfurt 1911-12.
- Heynck V., "Das Votum des Generals der Konventualen Bonaventura Costacciaro vom 26 November 1546 über die Gnadengewissheit", in *Franziskanische Studien*, xxxi (1949), pp. 274-303, 350-95.
- , "A Controversy at the Council of Trent concerning the Doctrine of Duns Scotus", in *Franciscan Studies*, ix (1949), pp. 181-258.
- , "Der Anteil des Konzilstheologen Andreas de Vega O.F.M. an dem ersten amtlichen Entwurf des Trienter Rechtfertigungsdekretes", in *Franziskanische Studien*, xxxiii (1951), pp. 49-81.
- , "Die Beurteilung der Conclusio theologica bei den Franziskanertheologen des Trienter Konzils", in *Franziskanische Studien*, xxxiv (1952), pp. 146-205.
- , "Zur Kontroverse über die Gnadengewissheit auf dem Konzil von Trient. Ein bisher unbeachtetes Gutachten des Franziskanerkonventualen Jacobinus Malafossa", in *Franziskanische Studien*, xxxvii (1955), pp. 1-17.
- H. J.* = *Historisches Jahrbuch der Görres-Gesellschaft*, 1880 ff.
- Hofmann W. von, *Forschungen zur Geschichte der kurialen Behörden*, 2 Vols., Rome 1914.
- Höpfel H., *Kardinal Sirlets Annotationen zum Neuen Testament*, Freiburg 1908.
- , *Beiträge zur Geschichte der Sixto-Clementinischen Vulgata*, Freiburg 1913.
- Horawitz A.-Hartfelder K., *Briefwechsel des Beatus Rhenanus*, Leipzig 1886.
- Hörger P., "Concilii Tridentini de necessitate baptismi doctrina in decreto de iustificatione", in *Antonianum*, xvii (1942), pp. 193-222, 269-302.
- Hortleder F., *Von den Ursachen des Teutschen Krieges Kaisers Karls V*, Gotha 1645.
- Hughes P., *The Reformation in England*, 3 Vols., London 1950-54.
- Il Concilio di Trento*, see Paschini.
- Janssen J., *Geschichte des deutschen Volkes seit dem Ausgang des Mittelalters*, 3 Vols., 19th and 20th edn., Freiburg 1913-17.

- Jedin H., *Des Johannes Cochlaeus Streitschrift De libero arbitrio hominis 1525*, Breslau 1927.
- , "Studien über die Schriftstellertätigkeit Albert Pigges", Münster 1931. [= *Reformationsgeschichtliche Studien und Texte*, fascicule 55].
- , *Girolamo Seripando*, 2 Vols., Würzburg 1937, Eng. edn., London 1947.
- , *Der Quellenapparat der Konzilsgeschichte Pallavicinos*, Rome 1940.
- , "Die deutschen Teilnehmer am Konzil von Trient", in *Tübinger Theologische Quartalschrift*, CXXII (1941), pp. 238-61; CXXIII (1942), pp. 21-39.
- , "Un laico al Concilio di Trento. Il Conte L. Nogarola", in *Il Concilio di Trento*, I (1942-3), pp. 25-33.
- , "Il card. Pole e Vittoria Colonna", in *Italia Francescana*, XXII (1947), pp. 13-30.
- , *Das Konzil von Trient. Ein Überblick über die Erforschung seiner Geschichte*, Rome 1948.
- , "La politica conciliare di Cosimo I", in *Rivista storica italiana*, LXII (1950), pp. 345-74, 477-96.
- , "Die Kosten des Konzils von Trient unter Paul III", in *Münchener Theol. Zeitschrift*, IV (1953), pp. 119-32.
- , "The blind Doctor Scotus" in *Journal of Ecclesiastical History*, I (1950), pp. 76-84.
- , "Das vierhundertjährige Jubiläum des Konzils von Trient und sein wissenschaftlicher Ertrag", in Schreiber, *Weltkonzil*, VOL. I, pp. 11-31.
- , "Rede- und Stimmfreiheit auf dem Konzil von Trient", in *Hist. Jahrbuch*, LXXV (1956), pp. 73-93.
- Katterbach B., *Referendarii utriusque signaturae*, Vatican City 1931.
- Koch W., "Die Anfänge der Firmung im Lichte der Trienter Konzilsverhandlungen", in *Tübinger Theol. Quartalschrift*, XCIV (1912), pp. 428-52.
- , "Das Trienter Konzilsdekret De peccato originali", in *ibid.*, XCV (1913), pp. 430-50, 532-64; XCVI (1914), pp. 101-23.
- , "Der authentische Charakter der Vulgata im Lichte der Trienter Konzilsverhandlungen", in *ibid.*, XCVI (1914), pp. 401-21, 542-72; XCVII (1915), pp. 225-49, 529-49.
- , "Der Begriff traditiones im Trienter Konzilsdekret in Sessio IV", in *ibid.*, CXXXII (1952), pp. 46-61, 193-212.
- Kögl J., *Breve diarium S. Concilii Tridentini. Conspectus decretorum, additis rationibus selectis temporis loci personarum*, Trent 1947.
- Kröss A., "Die Lehre von der Unbefleckten Empfängnis auf dem Konzil von Trient", in *Zeitschrift für Katholische Theologie*, XXVIII (1904), pp. 758-66.
- Kuttner S., *Decreta septem priorum sessionum concilii Tridentini sub Paulo III. Pont. Max. ex autographo Angeli Massarelli*, phototypice recuso, Washington 1945.
- Laemmer H., *Die vortridentinisch-katholische Theologie des Reformationsalters*, Berlin 1858.

# BIBLIOGRAPHY AND ABBREVIATIONS

- Landgraf A., *Dogmengeschichte der Frühscholastik*, VOL. I, PT I, Ratisbon 1952; VOL. I, PT 2, 1953; VOL. III, PT I, 1954.
- Lang A., "Der Bedeutungswandel der Begriffe fides-haeresis und die dogmatische Wertung der Konzilsentscheidungen von Vienne und Trient", in *Münchener Theol. Zeitschrift*, IV (1953), pp. 133-46.
- Lauchert F., *Die italienischen literarischen Gegner Luthers*, Freiburg 1912.
- Lauriers G. des, "St Augustin et la question de la certitude de la grâce au Concile de Trente", in *Augustinus Magister*, I (Paris 1954), pp. 1051-67.
- Lehnhoff O., *Die Beichtväter Karls V* [Philosophical dissertation, Göttingen], Alfeld 1932.
- Lennerz H., "Das Konzil von Trient und theologische Schulmeinungen", in *Scholastik*, IV (1929), pp. 38-53.
- , "Das Original von Massarellis erstem Diarium", in *Gregorianum*, XV (1934), pp. 573-6.
- , "Voten auf dem Trienter Konzil über die Rechtfertigung", in *ibid.*, XV (1934), pp. 577-88.
- , "De congregationibus theologorum in concilio Tridentino", in *ibid.*, XXVI (1945), pp. 7-21.
- Lenz M., *Briefwechsel Landgraf Philipps des Grossmütigen von Hessen mit Bucer*, VOL. II, Leipzig 1887.
- Le Plat J., *Monumentorum ad historiam concilii Tridentini potissimum illustrandam spectantium amplissima collectio*, 7 vols., Louvain 1781-7.
- Letters and Papers*, see *Calendar*.
- Levri M., "La Cappella musicale del Madruzzo e i cantori del Concilio", in *Il Concilio di Trento*, I (1942-3), pp. 393-405.
- L.Th.K.*=*Lexikon für Theologie und Kirche*, 10 Vols., Freiburg 1930-8.
- Luther=*Martin Luthers Werke, Kritische Gesamtausgabe*, Weimar 1883 ff.
- Maichle A., *Das Dekret De editione et usu s. librorum*, Freiburg 1914.
- , *Der Kanon der biblischen Bücher und das Konzil von Trient*, Freiburg 1929.
- Marin T., "La biblioteca del obispo J. B. Díaz de Luco", in *Hispania Sacra*, V (1952), pp. 263-326; VII (1954), pp. 47-84.
- , "El obispo J. B. Díaz de Luco y su actuación en Trento", in *ibid.*, VII (1954), pp. 259-325.
- Maurenbrecher W., *Karl V und die deutschen Protestanten*, Düsseldorf 1865.
- Mele E., see González Palencia.
- Merkle S., "Quellenkritische Studien zur Geschichte des Konzils von Trient", in *Hist. Jahrbuch*, XXXI (1910), pp. 305-22.
- , "Ein patristischer Gewährsmann des Tridentinums", in *Festgabe Albert Ehrhard*, ed. by A. M. Königer, Bonn 1922, pp. 342-58.
- , "Lücken in den Protokollen des Tridentinums und ihre Ergänzung", in *Zeitschrift der Savignystiftung für Rechtsgeschichte*, canonistic section, XXVII (1938), pp. 154-79.

## BIBLIOGRAPHY AND ABBREVIATIONS

- M.H.S.J.* = *Monumenta Historica Societatis Jesu*, Madrid 1894 ff.
- Michel A., *Les décrets du Concile de Trente*, Paris 1938.
- Morandi L., *Monumenti di varia letteratura tratti dai manoscritti di Mons. L. Beccadelli*, 2 Vols., in 3 parts, Bologna 1797-1804.
- Mostaza A., "El ministro extraordinario de la confirmación en Trento", in *Revista española de Teología*, II (1942), pp. 471-519.
- Müller J., "Die Politik Kaiser Karls V am Trienter Konzil im Jahre 1545", in *Zeitschrift für Kirchengeschichte*, XLIV (1925), pp. 225-75, 338-427.
- Muñoz Iglesias S., "El decreto tridentino sobre la Vulgata y su interpretación por los teólogos del siglo XVI", in *Estudios bíblicos*, V (1946), pp. 137-69.
- N.B.* = *Nuntiaturberichte aus Deutschland*, PT 1, 1534-59, ed. Preussisches Historisches Institut in Rom, 12 Vols., Gotha 1892 ff.
- Odoardi G., "I Francescani Minori Conventuali al concilio di Trento", in *Il Concilio di Trento*, I (1942-3), pp. 298-311; II (1947), pp. 21-46.
- Olazarán J., "Voto tridentino inedito sulla giustificazione e la certezza della grazia del Generale Carmelitano N. Audet", in *ibid.*, I (1942-3), pp. 272-85.
- , "Nuevo voto tridentino del Carmelita V. de Leone", in *Revista española de Teología*, II (1942), pp. 649-80.
- , "Un voto desconocido del teólogo tridentino R. Cenomano", in *Estudios eclesiásticos*, XVI (1942), pp. 453-71.
- , "Nuevos documentos tridentinos sobre la justificación", in *Archivo teol. Granadino*, XII (1949), pp. 164-209.
- Oromí B., "Los Franciscanos españoles en el concilio de Trento", in *Verdad y vida*, III (1945), pp. 99-117, 275-324.
- Ortigués E., "Écriture et tradition apostolique au Concile de Trente", in *Recherches de science religieuse*, XXXVI (1949), pp. 271-99.
- Pallavicino Sforza P., *Istoria del Concilio di Trento*, ed. F. A. Zaccaria, 5 Vols., Faenza 1792-6.
- Pas P., "La doctrine de la double justice au Concile de Trente", in *Ephemerides Theol. Lovanienses*, XXX (1954), pp. 5-53.
- Paschini P., "Un Cardinale editore, Marcello Cervini", in *Miscellanea Luigi Ferrari*, Florence 1952, pp. 383-413.
- , (ed.), *Il Concilio di Trento, Rivista commemorativa del IV Centenario*, I (1942-3); II (1947).
- Pastor L. von, *Geschichte der Päpste*, VOLS. IV-IX, Freiburg 1925, Eng. edn. VOLS. VII-XVII, London 1923 ff.
- Paulus N., *Die deutschen Dominikaner im Kampf gegen Luther*, Freiburg 1903.
- Pellegrini F., *L'epidemia di "morbus peticularis" del 1546-7 e il medico del Concilio di Trento*, Castalia 1946, special edition.
- , *Fracastoro*, Trieste 1948; see also Fracastoro, Girolamo.
- Péñagos L., "La doctrina del pecado original en el concilio de Trento", in *Miscellanea Comillas*, IV (1945), pp. 127-273.
- Pole, see Quirini.



# BIBLIOGRAPHY AND ABBREVIATIONS

- Politische Correspondenz* = *Politische Correspondenz der Stadt Strassburg im Zeitalter der Reformation*, VOL. IV, PT I, ed. J. Bernays and H. Gerber, Heidelberg 1931.
- Pouy y Marti G. M., "I Frati Minori al primo periodo del Concilio", in *Il Concilio di Trento*, I (1942-3), pp. 201-10.
- Quirini A. M., *Epistolae Reginaldi Poli S.R.E. cardinalis et aliorum ad ipsum*, 5 Vols., Brescia 1744-57.
- Rainer J. E., "Entstehungsgeschichte des Trienter Predigtreformdekretes", in *Zeitschrift für kath. Theologie*, xxxix (1915), pp. 256-317, 465-523.
- Raynaldus O., *Annales ecclesiastici*, Rome 1646 ff., quoted according to year and number.
- R.E.* = *Realencyclopädie für protestantische Theologie und Kirche*, 3rd edn., 24 Vols., Leipzig 1896 ff.
- Revilla M., "La controversia sobre las versiones vernáculas de la Biblia en el Concilio de Trento", in *Religión y Cultura*, x (1930), pp. 88-104.
- R.H.E.* = *Revue d'Histoire Ecclésiastique*, 1900 ff.
- Ribier G., *Lettres et Mémoires d'Estat sous les règnes de François I, Henri II et François II*, VOL. I, Paris 1666.
- Richard P., *Histoire du Concile de Trente*, 2 Vols., Paris 1930-1.
- Ried K., "Deutsche Domkapitel gegen die tridentinische Reform", in *Frigisinga*, III (1926), pp. 203-16.
- Rogger I., *Le nazioni al Concilio di Trento*, Rome 1952.
- R.Q.* = *Römische Quartalschrift*, 1889 ff.
- Rückert H., *Die Rechtfertigungslehre auf dem Tridentinischen Konzil*, Bonn 1925.
- Salaverri J., "La tradición valorada como fuente de la revelación", in *Estudios eclesiásticos*, xx (1946), pp. 33 ff.
- Sarpi P., *Istoria del Concilio Tridentino*, ed. G. Gambarin, 3 Vols., Bari 1935.
- Schenk W., *Reginald Pole*, London 1950.
- Schierse J., "Das Trienter Konzil und die Frage nach der christlichen Gewissheit", in Schreiber, *Weltkonzil*, VOL. I, pp. 145-67.
- Schmidt K. D., *Studien zur Geschichte des Konzils von Trient*, Tübingen 1925.
- Schottenloher K., *Bibliographie zur deutschen Geschichte im Zeitalter der Glaubensspaltung*, 6 Vols., Leipzig 1933-40, quoted as "Schottenloher" with number.
- Schreiber G., *Das Weltkonzil von Trient*, 2 Vols., Freiburg 1951.
- Schweitzer V., see C.T., VOL. XII.
- Schweizer J., *Ambrosius Catharinus Politus*, Münster 1910, [=Reformationsgeschichtliche Studien und Texte, fascicule 7].
- Seiger S., "Carmelitae in Concilio Tridentino", in *Analecta Ordinis Carmelitarum*, xxxiv (1944), pp. 147-66.
- Spahn M., *Johannes Cochlaeus*, Berlin 1898.
- Stakemeier A., *Das Konzil von Trient über die Heilsgewissheit*, Heidelberg 1947.

- Stakemeier E., "Die theologischen Schulen auf dem Trienter Konzil während der Rechtfertigungsverhandlungen", in *Tübinger Theol. Quartalschrift*, CXVII (1936), pp. 188-207, 322-50.
- , *Glaube und Rechtfertigung. Das Mysterium der christlichen Rechtfertigung aus dem Glauben dargestellt nach den Verhandlungen und Lehrbestimmungen des Konzils von Trient*, Freiburg 1937.
- , *Der Kampf um Augustinus auf dem Tridentinum*, Paderborn 1937.
- Stupperich R., "Die Reformation und das Tridentinum", in *Archiv für Reformationsgeschichte*, XLVII (1956), pp. 20-63.
- Swoboda H., *Das Konzil von Trient. Sein Schauplatz, Verlauf und Ertrag*, Vienna 1912.
- Tacchi Venturi P., *Storia della Compagnia di Gesù in Italia*, VOL. I, PTS I and 2, 2nd ed., Rome 1950.
- Theiner A., *Acta genuina ss. oecumenici concilii Tridentini*, VOL. I, Agram 1874.
- T.Q.* = *Tübinger Theologische Quartalschrift*, 1819 ff.
- Toffanin G., *L'umanesimo al Concilio di Trento*, Bologna 1955.
- Trapé A., "La doctrina del Seripando acerca de la concupiscencia", in *Ciudad de Dios*, CLIX (1946), pp. 501-32.
- Varesco A., "I Frati Minori al Concilio di Trento", in *Archivum Franciscanum historicum*, XLI (1948), pp. 88-160.
- Vosté J. N., "De revisione bibliae hebraicae iuxta votum concilii Tridentini", in *Angelicum*, XVIII (1941), pp. 387-94.
- , "De revisione textus graeci Novi Testamenti ad votum concilii tridentini facta", in *Biblica*, XXIV (1934) pp. 304-07.
- Walch F. G., *Martin Luthers sämtliche Schriften*, VOL. XVII, Halle 1745.
- Walz A., "Elenco dei Padri e teologi domenicani nel Concilio di Trento", in *Angelicum*, XXII (1945), pp. 31-9.
- , "Gli inizi domenicani al Concilio di Trento", in *Il Concilio di Trento*, I (1942-3), pp. 210-24, 368-76.
- Weber S., "Le abitazioni dei padri a Trento durante il Concilio", in *ibid.*, I (1942-3), pp. 57-64, 139-46.
- Weltkonzil von Trient*, see Schreiber, G.
- Zaccaria F. A., see Pallavicino.
- Zanolini V., "Appunti e documenti per una storia dell'eresia luterana nella diocesi di Trento", in *Annuario del Ginnasio pareggiato Principesco Vescovile di Trento*, Trent 1909, pp. 1-116.
- , "Eretici in Val Sugana durante il Concilio di Trento", in *ibid.*, Trent 1927, pp. 1-78.
- Z.K.G.* = *Zeitschrift für Kirchengeschichte*, 1876 ff.
- Z.K.Th.* = *Zeitschrift für katholische Theologie*, 1877 ff.

## BIBLIOGRAPHY AND ABBREVIATIONS

### LIST OF ARCHIVES AND COLLECTIONS OF MANUSCRIPTS

Escorial: Library of Augustines.

Florence: State Archives, Carteggio Mediceo.

Madrid: National Library.

Mantua: State Archives.

Modena: State Archives.

Montepulciano: Ricci Library, Papers of Giovanni della Casa.

Rome: Archives of the Gregorian University, Pallavicino's Sources.

Trent: State Archives, Carte Madruzziane.

Vatican Secret Archives.

Vatican Library.

## Chronological Table

G.C. = General Congregation  
P.C. = Particular Congregation (Classes)  
C.Th. = Congregation of theologians

<i>Date</i>	<i>Nature of the Discussion</i>	<i>Subject</i>	<i>Contemporary Events</i>
<b>1545</b>			
December			
13	<i>Sessio I</i>	Opening	
18, 22, 29	G.C.	External order; right to vote	
<b>1546</b>			
January			
4	G.C.	Conciliar officials; the formula <i>universalem ecclesiam repraesentans</i>	
7	<i>Sessio II</i>	Pole's exhortation; decree on a rule of life. Sermon by the Bishop of S. Marco	
18	G.C.	Programme: Dogma or reform?	
22	G.C.	Parallel discussion of dogma and reform is decided upon	21/22 Jan.: Letter of reproof from Farnese
26	G.C.	Postponement of the <i>Sessio</i> ?	22 Jan.-10 March: Religious colloquy of Ratisbon
29	G.C.	Letters to princes	
February			
2	First P.C.	Postponement of decree on dogma and reform	
3	G.C.		
4	<i>Sessio III</i>	<i>Symbolum Nicaeno-Constantinopolitanum</i> . Sermon by Ambrosius Catharinus, O.P.	
8	G.C.	Holy Scripture and Tradition	18 Feb.: Death of Martin Luther
11	P.C.		
12 & 15	G.C.		
18	P.C.		
20	First C. Th.		
23	P.C.		
26	G.C.		
March			
1	P.C.	Abuses in connection with Holy Scripture	
5	G.C.	Appointment of a deputation for the purpose of listing these abuses	

# CHRONOLOGICAL TABLE

<i>Date</i>	<i>Nature of the Discussion</i>	<i>Subject</i>	<i>Contemporary Events</i>
March— <i>contd.</i> 8 & 9	C. Th. }	Abuses in connection with Holy Scripture	
17	G.C. }	Report of the deputation	
23	P.C. }	Draft of a decree on	
27	G.C. }	Scripture and Tradition	
April			
1	G.C.	Fourteen <i>Dubia</i> about this draft of a decree	1 April: Massarelli made conciliar secretary
3	G.C.	Four abuses; the deputation is instructed to submit a draft for a decree	
5	G.C.	Discussion of a draft of a decree on Scripture and Tradition; the Vulgate decree is submitted	5 April: reception of Francisco de Toledo, the imperial envoy
6	P.C. }	Acceptance of both decrees	
7	G.C. }		
8	<i>Sessio IV</i>	Decree on Scripture and Tradition; the Vulgate decree. Sermon by Bonuccio, General of the Servites	10 April: the Emperor's entry into Ratisbon
13	P.C. }	Study of the Bible and preaching; Formula I of the decree	18 April: Palm Sunday
15	G.C. }		25 April: Easter Day
May			
7	P.C. }	Duty of residence; the Bishop of Fiesole speaks against the privileges of the Orders	
10	G.C. }		
18	G.C.	Critique of Formula II; the right of making proposals	12 May: Madruzzo leaves for Ratisbon
20 & 21	G.C.	Biblical studies in monasteries; the bishops' duty to preach; the duty of residence	
24 & 25	C.Th.	Original sin	
28 & 31	G.C.	Original sin	
June			
4 & 5	G.C.	Original sin	
8	G.C.	Decree on original sin: Formula I	6 June: Charles V signs alliance with Paul III
9 & 10	G.C.	Duty of residence	
10 & 11	C.Th.	Decree on original sin: Formula I	13 June: Whitsunday
14	G.C.	Decree on original sin: Formula II	
15	G.C.	Formula III of the decree on biblical studies and on preaching	

# CHRONOLOGICAL TABLE

<i>Date</i>	<i>Nature of the Discussion</i>	<i>Subject</i>	<i>Contemporary Events</i>
June— <i>contd.</i>			
16	G.C.	Both decrees accepted	16 June: Intervention of the imperial envoy against the definition of dogma
17	<i>Sessio V</i>	Decree on original sin; decree on biblical studies and on preaching. Sermon by Marcus Laureus, O.P.	19 June: Charles V's agreement with Maurice of Saxony
21	G.C.	Proposal: justification and duty of residence	25/26 June: the legates' first plan for a translation
22-28 (except 24)	C.Th.	Six articles on justification	28 June: Pole's departure from Trent
30	G.C.	Proposal: Three <i>Status</i> of justification; memoranda on impediments to residence handed in	
July			
5-13 (except 11)	G.C.	<i>Status I</i> of justification	8 July: reception of French envoys
15-23 (except 18)	G.C.	<i>Status II</i> and <i>III</i> of justification	17 July: Sanfelice-Grechetto incident
28 & 30	G.C.	Formula I of the decree on justification submitted; Del Monte's altercation with Madruzzo and Pacheco over the date of the <i>Sessio</i>	26 July: March-past of the papal army
August			
13 & 17	G.C.	Debate on Formula I of the decree on justification	1 August: the legates are authorised to transfer the Council 2-10 August: Cardinal Farnese at Trent. The legates' second plan for a translation
28	G.C.	Certitude of grace	19 August: Procession for a happy issue of the war
September			
23	G.C.	Formula II of the decree on justification submitted	15 Sept.: Mustering of the imperial armies before Ingolstadt
27-29	C.Th.	Formula II of the decree on justification	
October			
1-12 (except 3 and 4)	G.C.	Formula II of the decree on justification	9 Oct.: the legates' plan for a suspension; Bertano's intervention
15-26 (except 17 and 24)	C.Th.	A twofold justice and certitude of grace	
29	G.C.	Decision to discuss the decree and the two articles simultaneously	27 Oct.: Pole released from his legatine duties

# CHRONOLOGICAL TABLE

Date	Nature of the Discussion	Subject	Contemporary Events
November			
5	G.C. }	Formula III of the decree on justification submitted	
9, 10, 12	G.C. }		
13	G.C. }		
18-24	G.C. }		
(except 21)	G.C. }		
26-29	G.C. }	Formula II of the decree on justification. A twofold justice and certitude of grace	14-17 Nov.: Farnese at Trent ; November agreement with Mendoza on a suspension 21 Nov.: Northward withdrawal of the troops of Schmalkalden
December			
1	G.C. }		
3 & 6	G.C.	Nine criticisms of Formula III	3 Dec.: Departure of Diego de Mendoza from Trent
7-16	G.C.	Special debate on the revised Formula III (= Formula IV)	
(except 8)			
13		Bishops-theologians discuss for the first time certain special questions	
17	G.C.	Certitude of grace	
20	G.C.	Fixing the date of the <i>Sessio</i>	22 Dec.: Ulm submits to the Emperor
29	G.C.	Date of the <i>Sessio</i> fixed. Duty of residence	
30	G.C.	Duty of residence	31 Dec.: Reform Bull: <i>Nostrum non solum</i>
<b>1547</b>			
January			
3 & 4	G.C.	Duty of residence	
7-10	G.C.	Formula I of the decree on residence	
11		Bishop-canonists discuss for the first time the decree on residence	
11	G.C.	Approval of the decree on justification (= Formula V)	
12	G.C.	Approval of the decree on residence	
13	<i>Sessio</i> VI	The decree on justification; decree on residence; declaration of contumacy. Sermon by Tommaso Stella, O.P.	
15	G.C.	Discussion about acceptance of the decree on residence; matters are clarified by the bishops-canonists	
17	G.C. }	Thirty-five articles on the sacraments in general submitted. Baptism and Confirmation	22 Jan.: Recall of the papal troops from Germany. Francisco de Toledo's negotiations in Rome for financial assistance by the Pope
20-29	C.Th. }		27 Jan.: Death of Henry VIII
(except 23)			

# CHRONOLOGICAL TABLE

<i>Date</i>	<i>Nature of the Discussion</i>	<i>Subject</i>	<i>Contemporary Events</i>
February			
3-19	C.Th.	The Eucharist	2 Feb.: Verallo's audience with Charles V
3, 4, 5 & 7	G.C.	Proposals for reform	
8-21 (except 13 & 20)	G.C.	General debate about the sacraments in general. Baptism and Confirmation	18 Feb.: Consistorial decree against the cumulation of bishoprics by the cardinals
24-27	G.C.	Twenty reform canons; the validity of the decree on residence is confirmed	23 Feb.: Ash Wednesday 25 Feb.: Nomination of papal peace-legates for France and Germany
March			
1	G.C.	Thirty canons on the sacraments, Baptism, Confirmation	
2	G.C.	Approval of both decrees	
3	<i>Sessio VII</i>	Thirty canons on the sacraments, Baptism, Confirmation; fifteen reform chapters	6 March: Death of the Bishop of Capaccio
7-9	G.C.	The Eucharist; the envoys of the German cathedral chapters	
10	G.C.	Translation of the Council to Bologna against the votes of the imperial bishops	10 March: Hearing of witnesses to the epidemic in Trent
11	<i>Sessio VIII</i>	Translation to Bologna against the votes of the imperial bishops	
12		Departure of the legates	





# Index



# Index

- Abbots, Benedictine 25, 28, 147, 161, 260<sup>n</sup>, 360<sup>n</sup>, 362, 392, 423<sup>n</sup>, 483, *see also* Chiari, Isidoro; Ottoni, Luciano degli  
 — right to vote of 19  
 Abraham, Bartholomew 65  
 Absenteeism; absentees, contumacy of 93, 95, 158<sup>n</sup>, 164<sup>f</sup>, 173, 265, 311, 393<sup>n</sup>, 511  
*Acceptatio*, gratuitous acceptance of the sinner by God 166<sup>f</sup>, 169<sup>f</sup>, 179  
 Accia, Bishop of *see* Nobili, Benedetto de'  
 Accolti, Benedetto, Bishop of Ravenna, nephew of Pietro Accolti 319  
 — Francesco, Bishop of Ancona, nephew of Pietro Accolti 318  
 — Pietro, Cardinal, Archbishop of Ancona and later of Ravenna 318<sup>f</sup>  
 Accursius, jurist 303  
 Acqui, Bishop of *see* Vorst, Peter van der  
 Adrian VI (Adrian of Utrecht) 24<sup>n</sup>, 26  
*Adversus haereses* (de Castro) 71, 72<sup>n</sup>  
 Agde, Bishop of *see* Guiche, Claude de la  
 Agostino, Antonio, canonist 90, 469  
 — Pedro, Bishop of Huesca, brother of Antonio 90, 92, 264<sup>n</sup>, 325, 329, 337, 344<sup>n</sup>, 347, 387, 394, 422<sup>n</sup>, 436, 448  
 Aix, Archbishop of *see* Filheul, Robert  
 Alba, Bishop of *see* Vida, Marco Girolamo  
 Albenga, Bishop of *see* Cicada, Gianbattista  
 Alberti, conciliar banker 476<sup>n</sup>  
 — Giovanni Maria, secretary of Madrizzo 424<sup>n</sup>, 426<sup>n</sup>, 514  
 Albrecht, Margrave of Brandenburg-Kulmbach 159, 398  
 — von Brandenburg, Cardinal, Archbishop of Mainz (d. 24 September 1545) 207  
 — of Prussia 207<sup>n</sup>  
 Alciati, Terenzio, SJ 520  
 Aleander, Jerome, Cardinal, nuncio 80, 496  
 Aleman, Cardinal 476<sup>n</sup>  
 Alessandrini, Giulio, physician of Trent 417<sup>n</sup>, 420, 469  
 Alexander III 355  
 Algete, Labrador de 329<sup>n</sup>  
 Alife, Bishop of *see* Pighino, Sebastiano  
 Álvarez de Toledo, Juan, OP, Cardinal of Burgos 90, 407  
 Ambrose, St 100  
 Amsdorf, Nicholas, protestant theologian 207<sup>n</sup>, 371  
 Anabaptists 153, 162, 244, 371<sup>f</sup>, 388, 390  
 Anathema 52<sup>n</sup>, 56, 74, 78<sup>f</sup>, 82, 86, 155, 375, 381, 382<sup>n</sup>, 387  
 Angleria, Jerome, humanist 393<sup>n</sup>  
 Anglican Church 272, 400<sup>n</sup>  
 Anhalt, Duke of *see* George  
 Anne, Queen of Hungary 450, 452  
 Annebaut, Admiral d' 401  
 Anselm of Canterbury, St 135, 150<sup>n</sup>, 151, 254  
 Antivari, Archbishop of *see* Chierigati, Ludovico  
 Antonio, Marco, familiar of Cervini 420  
 Antony of Padua, St 157  
 Antwerp, Conference of 405  
 — text of decree printed at 314, 315<sup>n</sup>  
 Apocrypha 56<sup>f</sup>, 81  
*Apologia* 1520 (Ambrosius Catharinus) 40  
 — (Melanchthon) 145, 167  
*Apologia pro libris canonicis* (Calvus) 57<sup>n</sup>  
*Apologia pro veritate catholicae et apostolicae fidei et doctrinae adversus impia ac valde pestifera Martini Lutheri dogmata* 1520 39<sup>n</sup>  
 Apostolic Camera *see* Camera, Apostolic  
 Apostolic Tradition *see* Tradition  
 Aquileia, Patriarch of *see* Grimani, Giovanni  
 Aquinas *see* Thomas, St  
 Aquino, Bishop of *see* Florimonte, Galeazzo  
 Aracoeli, church of 214  
 Aragon, Catharine of *see* Catharine  
 — Cortes of 468  
 Archidiaconus (Guido de Baysio) 474  
 Archinto, Filippo, Bishop of Saluzzo, Vicar General of Rome 51, 100<sup>n</sup>, 266, 302<sup>f</sup>, 320, 337<sup>f</sup>, 341, 345<sup>n</sup>, 347, 380<sup>f</sup>, 382<sup>n</sup>, 383<sup>n</sup>, 420, 421<sup>n</sup>, 422, 441  
 Arco, Sigismund, Count, *custos* of the Council sessions I-IV 18  
 Ardinghello, Giuliano, brother of Niccolò 439<sup>n</sup>, 440  
 — Niccolò, Cardinal 34, 36, 43<sup>f</sup>, 172<sup>n</sup>, 234<sup>n</sup>, 270, 276, 298, 357<sup>n</sup>, 358<sup>f</sup>, 510<sup>f</sup>  
 Ardres, Treaty of (1546) 399  
 Arendt, Paul 456  
 Aristotle 281, 468, 470  
 Armagh, Archbishop of *see* Wauchope, Robert

# INDEX

- Armagnac, Georges d', Cardinal 368n  
 Arnobius 47  
 Arzt, Dr Conrad 369  
 Asart, Thomas, OFM 180  
 Ascoli, Bishop of *see* Roverella, Philos  
*Assertio omnium articulorum* 1520 (Luther)  
 144n, 145  
 Asti, Bernardino d', General of the Capu-  
 chins 175n  
 Astorga, Bishop of *see* Esquivel, Diego  
 de Alaba y  
 Audet, Nicholas, General of the Carme-  
 lites 72n, 106n, 107, 121, 184n, 195,  
 283n, 379n, 384, 421n, 435, 479  
 Augsburg, Cardinal Archbishop of *see*  
 Truchsess, Otto  
 — proctor of *see* Lejay, Claude; Rhem,  
 Wolfgang Andrew  
 — cathedral chapter of 368  
 — city of 304, 397  
 — Confession of *see* *Confessio Augustana*  
 — Diet of (1530) 143, 197  
 — *Interim* of 442  
 Augustine, St; Augustinianism 57, 100,  
 136, 143, 145-8, 151f, 155, 166, 168,  
 185f, 188, 241, 248, 254, 258f, 287,  
 297, 377, 383  
 Augustinians, General of *see* Seripando  
 Avignon 263, 400  
 Ayala, Martin Pérez de *see* Pérez de  
 Ayala, Martin  
 Aymon, Jean, protonotary 521  
 Azambuja, Jeronymo d' *see* Oleastro,  
 Hieronymus ab
- Badajoz, Bishop of *see* Navarra, Fran-  
 cisco de  
 Badia, Tommaso, OP 43n  
 Baldovinetti (Baldovinetto de Baldo-  
 vinettis), Bishop of Ancona, nephew  
 of Pietro Accolti 318  
 Balduino, Balduino de', physician to Del  
 Monte 416f, 420  
 Balduinus, canon of Trent 418, 419n  
 Bamberg, cathedral chapter of 368  
 Baptism 134, 144-8, 150ff, 154n, 155f,  
 162, 167, 171, 177f, 250, 252, 284,  
 289, 307, 372, 374n, 376, 378f, 383,  
 386, 388f, 471, 493, 519  
 — of John, the 377, 379n, 384, 387  
 Barba, John James, OESA, Apostolic  
 Sacristan 171, 253  
 Barbara (landlady of Trent) 466  
 Barberini Library 509  
 Barletta 412  
 Barter, Hans Zimprecht 411n  
 Basil, St 100, 471  
 Basle, Council of (1431-8) 10, 15, 23, 29,  
 32f, 40, 127, 140n, 270f, 301, 321n,  
 347, 444, 461, 475  
 Bavaria 204
- Beccadelli, Jerome, Bishop of Syracuse  
 141, 144n, 146f, 186, 246, 343, 422n,  
 433, 436  
 — Ludovico, of Bologna, humanist,  
 former secretary of Contarini 79f,  
 477, 497, 505, 515  
 Belcastro, Bishop of *see* Giacomelli,  
 Giacomo  
 Bellarmino, Girolamo 508  
 Bellay, Jean du, Cardinal 206  
 Belluno, Bishop of *see* Contarini, Giulio  
 Bembo, Pietro, Cardinal 79, 469  
 Benci, Trifone, secretary of legatine  
 College 80, 479, 506  
 Bergamo, Bishop of *see* Soranzo, Victor  
 Bernard of Clairvaux, St 139n, 248, 254,  
 287, 444  
 Bernardi, Francesco, nephew of Bishop of  
 Verona 400  
 Bernardine of Siena, St 157  
 Bertano, Gurone, papal agent in England,  
 brother of Pietro 262n, 399n, 400,  
 404n, 405, 407  
 — Pietro, OP, Bishop of Fano 51n, 54f,  
 57, 59, 70, 74, 76ff, 81, 83-7, 94,  
 105n, 115, 117f, 122, 140f, 143f,  
 146, 150, 153n, 156f, 163f, 174, 181n,  
 184ff, 191n, 225n, 226n, 227-30,  
 242, 246n, 247, 262n, 264n, 272-7,  
 284n, 286f, 290, 291n, 292, 293n,  
 294f, 305n, 310n, 324, 326, 336n,  
 337f, 341, 386, 388, 392, 404n, 421n,  
 473, 485, 490n, 517  
 Bertinoro, Bishop of *see* Casellus Thomas  
 Bianchetti, Giovanni, agent of Giovanni  
 della Casa 32n, 43n, 215n, 217n,  
 221n, 226n, 229n, 312n, 356n, 357n,  
 367n, 439n, 517  
 Bible, the 212, 241, 471f, 499  
 "Bible alone", Lutheran doctrine of the  
 58, 62, 75, 91, 168, *see also* Lutheran-  
 ism  
 Bible, commission for decree on the use  
 of 77, 264f  
 — lectures on, study of 99, 100n, 103f,  
 118, 123  
 — revisions and translations of, vernacular  
 Bible 67ff, 70n, 71ff, 75ff, 83, 84n,  
 85, 92, 95f, 138, 471  
 Biel, Gabriel 289  
 Billick, Eberhard, OCarm, Catholic col-  
 locator 199f  
 Biondo, Flavio 474  
 Bishops *see* committee of bishops-  
 theologians; *ius divinum* of; Plural-  
 ities; Proctors of; Residence, duty  
 of; Visitation of dioceses by  
 Bitonto, Bishop of *see* Musso, Cornelio  
 Boethius 469  
 Bohemia 398  
 Bologna, Governatore of 435  
 — town of 127, 214, 219, 348, 385

# INDEX

- Bologna, translation of the Council to 313, 369, 385, 410<sup>n</sup>, 415<sup>n</sup>, 427, 429ff, 433f, 437, 439-43, 455, 469, 477, 484, 487, 495
- Bonaventure, St 100<sup>n</sup>, 157
- Boniface VIII 101
- Bonuccio, Agostino, General of the Servites 24, 31, 57, 74f, 87f, 91, 93f, 103f, 107, 117, 121, 148, 151<sup>n</sup>, 152, 189, 190<sup>n</sup>, 195, 248, 251, 291<sup>n</sup>, 294, 296, 326, 371<sup>n</sup>, 382, 384, 423, 456, 458, 460<sup>n</sup>, 464, 485
- Book of the Servile Will, The* 167
- Borromeo, St Charles 8, 471<sup>n</sup>
- Bosa, Bishop of *see* Heredia, Balthasar, OP
- Bourbon, Louis de, Cardinal 325, 357
- Brandenburg *see* Albrecht von, Archbishop of Mainz; Joachim II, Elector of
- Brandenburg-Kulmbach, Margrave of *see* Albrecht
- Brandi, Karl 442
- Braschi, Filippo, of Faenza, OMinConv 252
- Brenner Pass 215
- Brenz, Johann, Swabian professor of Theology 198<sup>n</sup>, 199, 201, 411<sup>n</sup>
- Brescia 236
- Breviary 68f, 255
- Breviloquium* (St Bonaventure) 100<sup>n</sup>
- Brief *Dudum* (5 December 1545) 20
- Brixen, canon of 368
- chapter of 369
- town of 227, 276
- Brucchioli, Antonio 68
- Bruges, Conference of 405
- Bruneti, notary, his *Manual* 444
- Bruni, Leonardo, humanist 79
- Buccauratus, Hieronymus, canon of St Peter's 496
- Bucer, Martin 35, 68, 83, 146, 148, 168, 198<sup>n</sup>, 199ff, 209f, 248, 313, 315<sup>n</sup>, 371
- Buchholzer 313<sup>n</sup>
- Bulls, Papal:
- Decet nos* (17 April 1545) 20, 26
- Exsurge Domine* (Bull of Condemnation 1520) 162, 167, 182, 289, 310, 380
- Indiction, Bull of 45<sup>n</sup>
- Indulgences, Bull of (July 1546) 234<sup>n</sup>, 315
- In favorem ordinariorum* (1541) 128f, 131, 322
- Jacobites, Bull of Union for the (1441) 65f, 142<sup>n</sup>
- Laetare Jerusalem* (Bull of Convocation 1545) 10, 19, 22, 29, 115, 353, 396
- Nostri non solum* (Reform Bull 1546) 335f, 357ff; *dell' alternativa* 335
- Pastor aeternus* (Pius II, Reform Bull) 321<sup>n</sup>, 322
- Privileges, Bull of (1541) 334<sup>n</sup>, 335; (1546) 334<sup>n</sup>, 335
- Residence, Bull on duty of 277, 299f
- Superni dispositione consilii* (1542) 102, 127, 128<sup>n</sup>
- Suspension, Bull in the event of 277, 299, 335
- Translation, Bull for 228f, 433
- Buoncompagni, Ugo (Gregory XIII), Abbreviator of the Council 22, 113, 348, 479
- Büren, Count von 234<sup>n</sup>
- Burgos, Cardinal of *see* Álvarez de Toledo, Juan
- Burtenbach, Schertlin von, leader of the South-German troops 218
- Buschbell, Gottfried 516ff, 522
- Byzantine writers 415<sup>n</sup>
- Cadiz, Bishop of *see* Theodolis, Hieronymus de
- Caesar, Julius 469
- Cagliari, Bishop of *see* Pastorellus, Dominicus
- Cajetan, Thomas de Vio, OP, Cardinal, General of the Dominicans 56f, 169, 247, 321, 326, 345<sup>n</sup>, 347, 378, 384<sup>n</sup>, 388
- Calahorra, Bishop of *see* Diaz de Luco, Juan Bernal
- Calderinus, J. W., prior of Sta Maria in Via 172<sup>n</sup>
- Calderius, Reginald, printer in Paris 314
- Calenzio, G., Oratorian 515, 522
- Calice, Bishop of 302<sup>n</sup>
- Calvin, Jean 248, 307, 371<sup>n</sup>, 462
- Calvus, Johann, General of the Franciscans Observant, author of *Apologia pro libris canonicis* 56f, 192, 201, 419, 479
- Camaiani, Pietro, Florentine agent, secretary to Cosimo I of Florence 90, 434<sup>n</sup>, 447<sup>n</sup>, 491<sup>n</sup>, 492, 517
- Cambrai, Bishop of *see* Croy, Robert de
- Camera, Apostolic 476, 478, 515
- — mandates of 476<sup>n</sup>
- Campeggio, Gianbattista, Bishop of Mallorca, son of Lorenzo 148, 435
- Giovanni *see* Parenzo, Bishop of
- Lorenzo, Cardinal, father of Gianbattista 148, 318<sup>n</sup>
- Tommaso, Bishop of Feltre, jurist 17, 21, 29, 32, 54, 62, 64, 68ff, 73, 75, 89, 103f, 108, 143, 156, 163, 172<sup>n</sup>, 173, 186, 195<sup>n</sup>, 238, 266<sup>n</sup>, 290, 291<sup>n</sup>, 320, 322, 325, 341, 353, 361, 382, 386, 388, 421<sup>n</sup>, 423, 445<sup>n</sup>, 464, 507
- Canary Islands, Bishop of *see* Cruz, Antonio de la

- Cano, Melchior, author of *Loci theologici* (1563) 125, 373<sup>n</sup>  
 Canonists *see* Committee of  
 Canon Law 55, 148, 164, 192, 205, 208f, 212, 246, 317, 324, 332, 337, 352, 355, 359, 369, 377, 426, 475, 496  
 Caorli, Bishop of *see* Cingulo, Aegidius Falcetta de  
 Capaccio, Bishop of *see* Loffredo, Enrico  
 Capito, Wolfgang, protestant theologian 473<sup>n</sup>  
 Capodiferro, Girolamo, Cardinal 44, 413  
 Capranica, Domenico, Cardinal 270  
 Capuchins, General of the *see* Bernardino d'Asti  
 Caracciolo, Gianbattista, Neapolitan baron, *custos* of the Council session V 18  
 — Marino, Cardinal 140<sup>n</sup>  
 Carafa, Gianpietro, Cardinal (Paul IV) 43, 130, 214, 322<sup>n</sup>  
 Cardinals, College of, Sacred College 45, 131, 214, 307, 312<sup>n</sup>, 356<sup>n</sup>, 357<sup>n</sup>, 359, 407  
 Carlos, Don, son of Philip II 24<sup>n</sup>  
 Carlowitz, Christoph von, Saxon Councillor 204<sup>n</sup>, 205  
 Carmelites, General of the *see* Audet, Nicholas  
 Carnesecchi, Pietro 279, 280<sup>n</sup>  
 Carranza, Bartolomeo de Miranda, OP, Archbishop of Toledo 54<sup>n</sup>, 60, 175<sup>n</sup>, 244<sup>n</sup>, 245, 254<sup>n</sup>, 256, 378, 454, 456<sup>n</sup>, 458<sup>n</sup>, 459f, 463  
 Carthage, Council of (AD 419) 142<sup>n</sup>  
 Carvajal, Ludovico, OFM 455, 458, 460<sup>n</sup>, 461<sup>n</sup>, 462<sup>n</sup>, 463  
 Casa, Claudius della, notary 26, 160<sup>n</sup>, 431, 479f, 500  
 — Giovanni della, nuncio in Venice, Archbishop of Benevento 18<sup>n</sup>, 32<sup>n</sup>, 39, 43<sup>n</sup>, 59<sup>n</sup>, 77<sup>n</sup>, 90<sup>n</sup>, 119<sup>n</sup>, 129<sup>n</sup>, 215<sup>n</sup>, 217<sup>n</sup>, 221<sup>n</sup>, 226<sup>n</sup>, 229<sup>n</sup>, 236, 266<sup>n</sup>, 281, 282<sup>n</sup>, 312<sup>n</sup>, 316, 357<sup>n</sup>, 367<sup>n</sup>, 392, 393<sup>n</sup>, 434<sup>n</sup>, 439<sup>n</sup>, 477, 480<sup>n</sup>, 516f  
 Casalmaggiore, Antonio di *see* Delfino, Giovanni Antonio  
 Cascia, Simeone Fidati da 258<sup>n</sup>, 259  
 Casellus, Thomas, OP, Bishop of Bertinoro 66, 69, 74, 94, 104, 105<sup>n</sup>, 106f, 117f, 150, 156f, 191, 293<sup>n</sup>, 294, 296, 354, 381, 416, 430, 435, 477f, 486, 507f, 515  
 Cassinese Congregation, Abbots of 483  
 Castelalto, Francesco di, captain and envoy of Ferdinand I at Trent 183, 217, 490<sup>n</sup>, 491, 517  
 Castelfranco, Laurentius de *see* Mazochi  
 Castellamare, Bishop of *see* Fonseca, Juan  
 Castello, Sebastianus a, OFM 375  
 Castello Madruzzo 424f  
 Castel San Giovanni 219  
 Castiglione, Baldassare, author of *Il Cortegiano* 464  
 — Francesco Romeo di, General of the Dominicans 287, 295ff, 321<sup>n</sup>, 384<sup>n</sup>, 423  
 Castelloneus, Baptista, OFM 72<sup>n</sup>  
 Castro, Alfonso de, OFM, Spanish theologian 54, 59f, 61<sup>n</sup>, 62, 70f, 72<sup>n</sup>, 83, 144<sup>n</sup>, 150, 152, 177, 242, 249<sup>n</sup>, 251, 518  
 — Juan Páez de, secretary to Diego Mendoza 24<sup>n</sup>, 281, 430<sup>n</sup>, 434<sup>n</sup>, 464<sup>n</sup>, 468f, 474  
 Catechism 88, 99, 100<sup>n</sup>, 103, 109  
 Caterina *see* Volano, Caterina de  
 Catharinus, Ambrosius, OP, of Siena, controversial theologian, from 1546  
 Bishop of Minori 40, 41<sup>n</sup>, 54, 60, 68, 70, 87, 144<sup>n</sup>, 145, 162, 169, 175<sup>n</sup>, 246, 248, 251, 266, 288, 293<sup>n</sup>, 294, 363, 381, 382<sup>n</sup>, 384<sup>n</sup>, 423, 435, 450, 452, 455, 478, 479<sup>n</sup>  
 Cathedral Chapters 325, 332, 339f, 342ff, 352  
 — — German 365, 368f, 415  
 — — Italian 369  
 — — Spanish 369  
*See also* Augsburg; Bamberg; Freising; Mainz; Passau; Ratisbon; Salzburg; Würzburg  
 Catherine of Aragon 453  
 Catholic Collocutors, at the colloquium of Ratisbon 199f  
 — doctrine, teaching 235, 309f, 374, 376, 380f, 386, 388f, 391, *see also* Augustinianism, Theologians, Thomism, etc.  
 Cattaneo, Aurelio, secretary to Madruzzo 44<sup>n</sup>, 226<sup>n</sup>, 227, 230, 368<sup>n</sup>, 404<sup>n</sup>, 413<sup>n</sup>, 457<sup>n</sup>, 517  
 Caucus, Jacobus (Coco), Archbishop of Corfu 90, 156, 195<sup>n</sup>, 218, 221<sup>n</sup>, 222, 266<sup>n</sup>, 302, 385<sup>n</sup>, 386, 393, 421<sup>n</sup>, 449  
 Cazalla, Dr Augustin de 468<sup>n</sup>  
 Celestine I 142<sup>n</sup>  
 Cervini, Gianbattista, Cardinal Cervini's Roman agent 95, 217<sup>n</sup>, 226<sup>n</sup>, 234<sup>n</sup>, 273<sup>n</sup>, 280<sup>n</sup>, 299<sup>n</sup>, 356<sup>n</sup>, 404<sup>n</sup>, 414<sup>n</sup>, 517  
 — Marcello, legate, Cardinal Santa Croce, Bishop of Gubbio 9, 18, 27ff, 31-6, 38f, 44f, 47-51, 53<sup>n</sup>, 54f, 57, 59, 62-6, 68f, 70<sup>n</sup>, 71, 73, 75, 77, 79ff, 85f, 89, 94-7, 100<sup>n</sup>, 104, 105<sup>n</sup>, 107, 109<sup>n</sup>, 113f, 122, 127, 129ff, 139<sup>n</sup>, 141, 148f, 150<sup>n</sup>, 153<sup>n</sup>, 154, 155<sup>n</sup>, 157f, 162, 172, 174f, 181, 193, 196, 198<sup>n</sup>, 215f, 217<sup>n</sup>, 220, 221<sup>n</sup>, 224, 225<sup>n</sup>, 226<sup>n</sup>, 227-33, 234<sup>n</sup>, 235, 238-42, 246ff, 260, 262<sup>n</sup>, 268-71, 273<sup>n</sup>, 274, 276<sup>n</sup>, 278f, 280<sup>n</sup>, 281, 283, 284<sup>n</sup>, 290f, 293<sup>n</sup>, 294-7, 300<sup>n</sup>,

- Cervini, Marcello :  
 301n, 303, 309, 312, 315n, 327, 328n,  
 334, 338n, 339, 342, 345, 348, 351n,  
 355, 356n, 357n, 358f, 360n, 361,  
 363f, 370, 371n, 374, 378n, 379ff,  
 386, 387n, 389, 391, 392n, 400n,  
 401n, 410ff, 415, 417n, 425, 428, 435,  
 438-43, 446, 447n, 450, 457f, 465f,  
 468, 470ff, 476f, 480, 486, 489f,  
 496f, 500f, 505, 507f, 510f, 513-16  
 — Romolo, Cardinal Cervini's step-  
 brother 218, 441n  
 Chabod, Federico 321  
 Chalcedon, Council of (AD 451) 31, 240,  
 355  
 Charity (*caritas*) 166f, 169f, 177, 179,  
 185-90, 243, 245, 249, 253, 255, 257,  
 291f, 294, 305  
 Charles V, Emperor 8f, 11-14, 22, 35f,  
 41f, 90, 93, 97, 111, 114f, 127, 131f,  
 137f, 158ff, 174, 191n, 197-207, 210f,  
 213-19, 220n, 221n, 222f, 225-33,  
 234n, 235, 237, 261-4, 268n, 269,  
 271-5, 276n, 277-82, 298-302, 303n,  
 304f, 312-15, 320f, 330, 345n, 393n,  
 396-400, 401n, 402n, 403-15, 422,  
 424f, 427f, 431, 433f, 437, 438n,  
 441ff, 449f, 468n, 472, 485, 487, 488n,  
 489-92, 508, 517  
 Chatton, Walter of, OFM, theologian 251  
 Chiari, Isidoro (Clarius, Isidorus), Abbot  
 of Pontida, Bishop of Foligno in 1547  
 67, 118, 184n, 283n, 288, 423n, 472  
 Chiavenna 192n  
 Chierigati, Ludovico, OMinConv, Arch-  
 bishop of Antivari 478  
 Chioggia, Bishop of *see* Nacchianti,  
 Giacomo  
 Chironissa and Melopotamos, Bishop of  
*see* Zanettini, Dionisio de  
 Chrysostom, St 100, 294  
 Cicada, Gianbattista, Bishop of Albenga,  
 auditor of the Camera 50n, 266,  
 302f, 311, 320, 333, 337, 341, 344n,  
 353, 363f, 423, 432, 434n, 436  
 Cicero 458, 470  
 Cingulo, Aegidius Falcetta de, Bishop of  
 Caorli 117, 151n, 195n, 236, 392n,  
 421n  
 Cini, Costantino, familiar of Cervini 508  
 Cisneros, Ximenes de, Cardinal, Bishop  
 of Toledo, author of a Spanish  
 catechism 100n  
 Città Nuova (Istria), Bishop of (Alex-  
 ander de Ursis) 266  
 Clarius, Isidorus, OSB *see* Chiari, Isidoro  
 "Classes" of the Council 32f, 38, 53ff,  
 62, 64, 66, 73, 103, 105n, 106, 109f,  
 112, 114, 115n, 349, 492f  
 Clement VII 237, 351n  
 Clermont, Bishop of *see* Prat, Guillaume  
 de  
 Cles, Bernhard, Cardinal, Bishop of Trent  
 453, 474, 497  
 Cochlaeus, Johann 144n, 168n, 198n, 199,  
 208n, 312, 315n, 371n, 380  
 Colle, Julian of, OESA 259  
*Collecta de libris sanctis* (Seripando) 73n  
 Colloquies, religious 28, 168, 198f, *see*  
*also* Ratisbon  
 Cologne, Archbishop of *see* Wied,  
 Hermann von  
 — University of 176, 274  
 "Cologne-Reformation" (Wied) 371  
 Colonna, Mario, Bishop of Rieti 90, 191,  
 238, 325  
 — Vittoria 50, 279, 473  
 Committee of bishops-theologians 293ff,  
 297, 309, 349, 387, 493  
 — of canonists 342, 346, 348ff, 357, 365,  
 493  
 Committees, commissions (in general) 17,  
 21, 29, 32, 42ff, 54, 64, 66, 69f, 75ff,  
 79, 82, 85, 88f, 96, 99, 105f, 108f,  
 112, 122, 150, 174f, 193, 239, 242,  
 264f, 290-3, 298, 323, 328f, 345, 362,  
 429, 458, 484, 493  
 Communion in both kinds 28, 78, 209  
*Compendium* (St Thomas Aquinas) 100n  
*Concilia Omnia* (Crabbe) 142n  
 Conciliar fund; expenses of the Council  
 15, 18, 37, 219, 236f, 274, 451, 475-  
 81, 507, 515  
 — theory 10, 23, 34, 126f, 205, 263, 269,  
 275, 347, 429, 474f, 484, 491  
 Concupiscence 134, 137, 144-9, 151f,  
 155, 161f, 188, 241, 253f, 258  
*Confessio Augustana* 125n, 145, 155, 167,  
 211f, 307, 370, 371n, 372  
 Confirmation, Sacrament of 167, 372,  
 374n, 376-9, 383, 385n, 386, 388ff,  
 493, 519f  
 Conseil, Jean du (Consilii), OFM, theo-  
 logian 60, 242, 244f, 251, 257, 375,  
 456n, 458n, 460, 461n, 462f, 472  
*Consilium de emendanda ecclesia* 48  
 Constance, Council of (1414-18) 8f, 17n,  
 23, 27, 33, 301, 345n, 347, 373n,  
 380f, 410, 444, 455f, 458, 472, 484,  
 487, 489  
 — — Decree *Sacrosancta* 23  
 — — Sermons at 459  
 Constantine the Great 457, 471n  
 Constantinople 201  
 — Council of, IV (A.D. 869) 49  
 Contarini, Gasparo, Cardinal 50, 79,  
 08n1, 169, 181, 183, 189, 200, 247,  
 258, 453, 497  
 — Giulio, Bishop of Belluno, nephew of  
 Gasparo 121n, 163, 189, 190n, 191n,  
 464, 485  
 Contini, Giovanni, of Mantua, composer  
 451  
*Controversiae* 1542 (Pighius) 153



# INDEX

- Contumacy *see* Absenteeism  
 Conventuals, General of *see* Costacciaro  
 Coran 460  
 Corfu, Archbishop of *see* Caucus, Jacobus (Coco)  
 Coria, Cardinal of *see* Mendoza, Francisco de  
 Cornaro, Andrea, Archbishop of Spalato 266, 305f, 392  
 — Andrea, Bishop of Brescia, Cardinal, nephew of Archbishop of Spalato 305n  
 Corregio, Girolamo da 219  
 Cortenbosch, Johann, secular priest, Flemish theologian 134  
 Cortese, Gregorio, Cardinal 43, 49, 312  
 Corvinus, Antonius, protestant theologian, author of "Vom Trientischen Concilio" 95n  
 Cosimo I, Duke of Florence 36n, 39n, 49n, 64n, 90, 388n, 447n, 469  
 Costacciaro, Bonaventura, General of the Conventuals 184n, 195, 242, 247f, 251, 283n, 289f, 292, 384, 387, 421n  
 Council, officials of the 22, 37, 41, 79, 193, 236f, 479ff, 497f. Abbreviator, *see* Buoncompagni, Ugo. Advocate, *see* Grassi, Achille de'. Custos 18, *see also* Arco, Sigismund; Caracciolo, Gianbattista; Madruzzo, Niccolò. Notary, *see* della Casa, Claudius. President, *see* Del Monte, Giovanni Maria. Secretary, *see* Massarelli, Angelo; Flaminio, Marcantonio. Promoter of, *see* Severoli  
 — *see also* Reform, Suspension, Title, Translation  
 Councils 53, 63, 79, 93, 116, 125f, 134, 136, *see also* Basle, Carthage, Chalcedon, Constance, Constantinople IV, Ephesus, Ferrara-Florence, Lateran (3rd, 4th, 5th), Lyons II, Mantua, Milevum, Nicea I and II, Orange, Pisa, Rimini, Sardica, Toledo, Vatican, Vienne. *And see* National Councils  
 Crabbe, Peter, OFM, author of *Concilia Omnia* 65, 142n, 473n, 475  
 Cranmer, Thomas 401  
 Cremona, Silvester of 175n  
 Crépy, Peace of (1544) 11, 13, 197, 399, 402f  
 Crescentiis, Jacobus de 419  
 Crescenzo, Marcello, Cardinal 34, 43f, 312, 513  
 Croy, Robert de, Bishop of Cambrai 161, 449, 507, 513  
 Cruz, Antonio de la, OMinConv, Bishop of the Canary Islands 143, 146, 186, 251, 264n, 287f, 293n, 294f, 297, 354, 422n, 433, 436  
 Cupis, Domenico de, Cardinal Deacon, Dean of the Sacred College 43  
 Curia, reform of the 10, 30, 33f, 36, 42, 48, 63, 127, 129f, 174, 267, 277, 319f, 322, 324-7, 329ff, 333ff, 351, 353f, 494f  
 Curzola, Bishop of (Marcus Maliperius) 266n, 421n  
 Cusa, Nicholas of, Cardinal 270, 321n, 322  
 Cyprian, St 459  
 Cyprus, Archbishop of 85  
 Cyril of Alexandria, St 294, 472  
 Damascene, John St 453  
 Dandino, Girolamo, nuncio in France 13f, 183n, 206, 213, 262, 303n, 304, 312n, 357n, 399n, 400f, 403, 412, 430n, 435  
 Danès, Pierre, French envoy 183, 314, 472  
 Dataria, the 130, 476n, 479, 515  
*De captivitate babylonica* (Luther) 167, 370f  
 Decius, Philippus 475  
*Decretum pro Armenis* 372, 377, 380, 383f, 387-91  
*De doctrina christiana* (St Augustine) 100n  
*De ecclesiasticis scripturis et dogmatibus* 1533 (John Driedo) 73n  
*De fide et operibus* 1532 (Cajetan) 169  
*De fide et sacramentis* 1545 (Filippo Archinto) 100n  
*De justificatione* 1572 (Andreas de Vega) 47n  
 Delfino, Giovanni Antonio, OMinConv (Antonio di Casalmaggiore) 60, 180, 455n  
 — Pietro: his *Epistolae* 46n  
 Delft, Van der, Imperial ambassador in London 399n  
*De libris S. Scripturae* (Seripando) 57n  
*De modo concionandi* (Erasmus) 100n  
 — — — (Pole) 108n  
*De modo procedendi pari passu cum reformatione* (anon.) 35n  
 Denifle, Heinrich, OP 522  
*De perfecta justificatione a fide et operibus* 1541 (Ambrosius Catharinus) 169  
 Diakovár, Bishop of *see* Strossmayer  
 Diaz, Alphonso 212f  
 — Juan 212  
 — de Luco, Juan Bernal, Bishop of Calahorra 121n, 143f, 148, 152, 163, 186, 192, 222, 264n, 301, 307, 323, 325f, 329n, 331ff, 337, 341f, 344n, 346ff, 354, 361, 363ff, 381, 382n, 394, 422n, 433, 436, 486, 488  
 Dietenberger, Johann, OP 67, 168  
 Dietrich, Veit, protestant theologian 209n, 313

# INDEX

- Diets *see* Augsburg (1530); Nuremberg; Ratisbon (1541, 1546); Speyer (1544); Worms (1545, 1546)
- Dinkelsbühl 397
- Diruta, Sigismondo Fedrio da, OMinConv 175<sup>n</sup>, 457<sup>f</sup>
- Dispensations, papal 318, 325, 331, 333, 339, 342<sup>f</sup>, 350<sup>f</sup>, 353, 357, 366<sup>f</sup>
- Disputata Ratisbonae* 1548 (Bucer) 198<sup>n</sup>
- Disputata Ratisbonae in altero colloquio* (Malvenda) 168<sup>n</sup>
- Dogma and Reform, Parallel discussion of 10, 22, 29-35, 37<sup>f</sup>, 41, 52, 63, 87, 111, 114<sup>n</sup>, 115, 125<sup>f</sup>, 132<sup>f</sup>, 138<sup>f</sup>, 141, 159, 174, 221, 232, 267, 277, 370, 488, 493<sup>f</sup>
- Döllinger, Ignaz von 509, 521<sup>f</sup>
- Domenichi, Domenico de' 321<sup>n</sup>
- Dominicans, General of *see* Castiglione, Francesco Romeo de; Cajetan, Thomas de Vio
- Donauwörth 261
- Doria, family of Genoa 412
- Driedo, John, theologian of Louvain 58, 71, 73<sup>n</sup>, 136, 179<sup>n</sup>, 296
- Driel, Nicholas, notary 26, 479<sup>f</sup>, 500
- Druffel, A. von 503, 509, 516, 522
- Durandus (the Younger) 341
- Eck, Johann 67, 75, 144<sup>n</sup>, 168, 190
- Edward VI, King of England 401
- Ehrenberg, defile of 217<sup>f</sup>
- Ehses, Stephen 184<sup>n</sup>, 239<sup>n</sup>, 244<sup>n</sup>, 249<sup>n</sup>, 256, 257<sup>n</sup>, 260<sup>n</sup>, 305<sup>n</sup>, 371<sup>n</sup>, 424<sup>n</sup>, 430<sup>n</sup>, 456<sup>n</sup>, 471<sup>n</sup>, 498<sup>ff</sup>, 502, 515, 518<sup>ff</sup>, 522
- Eichstätt, Bishop of *see* Hutten, Maurice von
- Eisleben 207, 208<sup>n</sup>
- Eleonore of Florence, Duchess 90
- Elio, Antonio, secretary of Farnese 229<sup>n</sup>
- Emperor *see* Charles V
- Emperors, Salian 397
- Emser, Hieronymus 67
- Enchiridion* (Eck) 168
- 1537 (Gropper) 100<sup>n</sup>, 168, 172
- England 13, 197, 206, 263, 399<sup>ff</sup>, 413, 492
- Envoys at the Council 11, 25, 90, 93, 137, 183<sup>f</sup>, 218, 280, 305, 394, 409, 426, 491<sup>f</sup>, 517
- Ephesus, Council of 463
- Episcopalism 8, 10, 21, 27, 163, 365, 487, 488<sup>n</sup>, 518
- Erasmus, Desiderius, of Rotterdam 56<sup>f</sup>, 67, 70<sup>n</sup>, 100<sup>n</sup>, 153, 155, 168, 371, 388, 390
- Ercole II d'Este, Duke of Ferrara 225<sup>n</sup>, 229<sup>n</sup>, 230, 305<sup>n</sup>, 430<sup>n</sup>, 435, 517
- Errors 9, 22, 144, 153, 182, 221, 247<sup>f</sup>, 370-4, 378<sup>ff</sup>, 494
- (2, 435)
- Escorial, library of 281
- Esquivel, Diego de Alaba y, Bishop of Astorga 22, 26<sup>f</sup>, 38, 41, 54, 59, 62, 64<sup>n</sup>, 66, 69<sup>f</sup>, 75, 94, 112, 114<sup>n</sup>, 115<sup>n</sup>, 116<sup>f</sup>, 131, 132<sup>n</sup>, 141, 157, 173, 221, 264<sup>n</sup>, 301, 311, 320, 323, 325<sup>f</sup>, 329, 337, 342, 344<sup>n</sup>, 345<sup>n</sup>, 346<sup>ff</sup>, 350, 351<sup>n</sup>, 354, 364<sup>f</sup>, 380, 382<sup>n</sup>, 393<sup>n</sup>, 394, 414, 422, 424<sup>n</sup>, 426<sup>n</sup>, 433, 436, 439, 456, 466, 488, 517
- Estates of the Empire (including German, Catholic, and Protestant) 148<sup>f</sup>, 199, 202-05, 208, 210, 218, 313, 404, 408, 141, 424
- Este, Ercole d' *see* Ercole II
- Ippolito d', Cardinal 321, 325, 357
- d', family, archives of 518
- Eucharist, sacrament of the (sacrifice of the Mass) 252, 372, 379, 383, 415<sup>f</sup>, 428, 471
- Eugenius IV 475, 476<sup>n</sup>
- Eustathius 47
- Execrabilis*, Clementine decretal 355
- Expositio in symbolum apostolorum* (Rufinus) 100<sup>n</sup>
- Extreme Unction, sacrament of 372, 386, 415
- Fabri, Johann, Vicar General of Constance, Bishop of Vienna 168, 473
- Faith in justification, place of 145, 147, 149, 155, 166-71, 176<sup>f</sup>, 180<sup>ff</sup>, 185-90, 194, 240<sup>f</sup>, 243, 249-53, 255, 285, 288-92, 294-8, 305, 308, 371<sup>f</sup>, 382, 389
- Famagusta, Bishop of (Philippus Bonus) 266<sup>n</sup>, 421<sup>n</sup>
- Fano, Bishop of *see* Bertano, Pietro
- Farnese, Alessandro, Cardinal-nephew 14, 20, 22, 24<sup>n</sup>, 31, 32<sup>n</sup>, 33<sup>n</sup>, 34, 36, 38<sup>f</sup>, 42, 44<sup>f</sup>, 47<sup>f</sup>, 50<sup>n</sup>, 51, 54, 63, 79, 95<sup>f</sup>, 97<sup>n</sup>, 113, 114<sup>n</sup>, 127, 133<sup>n</sup>, 138, 153<sup>n</sup>, 163, 172<sup>n</sup>, 181<sup>n</sup>, 212<sup>n</sup>, 213<sup>f</sup>, 215<sup>n</sup>, 217, 219<sup>f</sup>, 221<sup>n</sup>, 225<sup>n</sup>, 226-9, 233, 234<sup>n</sup>, 237<sup>f</sup>, 262, 264<sup>n</sup>, 266<sup>n</sup>, 276<sup>f</sup>, 280<sup>f</sup>, 284<sup>n</sup>, 298, 304<sup>n</sup>, 324<sup>n</sup>, 328, 335, 336<sup>n</sup>, 337, 344<sup>n</sup>, 345<sup>n</sup>, 348<sup>n</sup>, 357<sup>n</sup>, 382<sup>n</sup>, 392<sup>n</sup>, 403<sup>f</sup>, 406<sup>ff</sup>, 412<sup>ff</sup>, 417<sup>n</sup>, 434<sup>n</sup>, 440, 441<sup>n</sup>, 480, 511, 515<sup>f</sup>
- Costanza, daughter of Paul III 516
- Ottavio, papal nephew, son of Pierluigi 214, 219
- Pierluigi, Duke of Piacenza, son of Paul III 412
- Ranuccio, Cardinal, legate for the Marches 219, 237
- Vittoria, daughter of Pierluigi 392
- Favaroni, Agostino, General of the Hermits of St Augustine (d. 1443) 259
- Felinus, Sandaeus, canonist 475

# INDEX

- Feltre, Bishop of *see* Campeggio, Tommaso
- Ferdinand I, King of the Romans 14, 25, 36, 119, 183, 203, 204*n*, 205, 212, 217, 340, 450, 474*n*
- envoys of 400*n*, 491, *see also* Queta, Antonio
- Feria, Balthazar de, Portuguese ambassador 436
- Ferrara (town) 226ff, 230f
- Duke of *see* Ercole II
- translation of the Council to 226f, 230f, 268
- Ferrara-Florence, Council of, canon of, (1438-41) 17*n*, 55-8, 64ff, 81, 372, 475, 476*n*
- Ferreri, Filiberto, nuncio, Bishop of Ivrea 15, 17, 21, 447
- Ferretti, Giovanni Pietro, Bishop resigned of Melos 360*n*
- Fiesco, conspiracy of 412
- Fiesole, Bishop of *see* Martelli, Braccio
- Figliucci (Felice?) 447*n*, 448, 455
- Figuerola, councillor of Charles V 14
- Filheul, Robert, Archbishop of Aix 16, 26, 54, 59, 68, 70, 82, 89, 93, 103, 107, 151*n*, 164, 173, 242, 246, 293*n*, 294, 311, 325, 342, 354, 379*n*, 393*n*, 429, 449, 488, 499
- Fink, Heinrich 522
- Fisher, John, St 296
- Flaminio, Marcantonio, poet and humanist 22, 50, 80, 279, 467f, 497, 505
- Flavius, Melchior, conventual of Toulouse 201f
- Flemish *see* Low Countries
- Florence (town) 282
- Archives of 516
- Cardinal of 458*n*
- Council of *see* Ferrara-Florence
- Florimonte, Galeazzo, Bishop of Aquino 106, 117, 119, 121*n*, 150*n*, 163, 189, 190*n*, 248, 264*n*, 324*n*, 325ff, 344*n*, 354, 423*n*, 426*n*, 428, 432, 470, 478, 485
- Fonseca, Juan, Bishop of Castellamare 25ff, 34, 54, 59, 62, 64*n*, 70, 73, 86, 88, 94, 105*n*, 141, 160*n*, 163, 174, 264*n*, 265, 293*n*, 294f, 306, 327, 338*n*, 354, 361, 363, 365, 382, 384*n*, 394, 426*n*, 433, 436, 439, 450
- Forbin-d'Oppède, Marquise de 521
- Fracastoro, Girolamo, physician to the Council 219, 416ff, 428, 469, 480
- France 13f, 397-403, 405
- King of 431, *see also* Francis I; Henry II
- papal nuncio in *see* Dandino; Guidiccioni, Alessandro
- Francis I, King of France 16f, 36, 90, 182ff, 231, 262f, 304, 357, 393*n*, 399f, 402, 413, 491
- Francis of Assisi, St 445
- Franciscans Observant, General of *see* Calvus, Johann
- Frankfurt 397
- Diet of (1546) 209*n*, 210
- Frederick II, Count Palatine of the Rhine 205, 397
- Freedom of the Christian Man, The* 167
- Free-will 167f, 169*n*, 170, 180, 182, 185, 188, 194, 241, 307, 470f, 519
- Fregimeliga, physician 219, 238
- Fregoso, OESA 259
- Freising, cathedral chapter of 368f
- French at the Council 10f, 13, 16f, 36f, 39, 41f, 54, 72, 90, 93, 115, 131, 184, 263, 267, 330, 393*n*, 400, 432
- envoys 182ff, 305, 393*n*, 394, 400, 402, 426, 490*n*, 491, 517, *see also* Danès, Pierre; Ligneriis, Jacobus de; Urfé, Claude d'
- Friedensburg 404*n*, 411*n*
- Fugger, family, bankers 213
- Anton 397
- Fürstenberg, Count Frederick 199
- Füssen 218
- Franciscans of 217
- Galatians, commentary on the Epistle to 167
- Gallicanism, Gallican Church 8, 182ff, 518
- Gambara, Uberto, Cardinal 44
- Geldern, Burkhard von 244
- Gentillet, Innocent 502
- George, Duke of Anhalt 207*n*, 211*n*, 314
- Germany, papal nuncio in *see* Verallo, Girolamo
- Germans at the Council 10f, 20, 39, 72, 93, 131, 275, 304, 305*n*, 311, 369, 452, 483*n*, *see also* Imperial envoys: Mendoza, Diego Hurtado de; Mendoza, Juan de
- German Protestants 8f, 13f, 28f, 38*n*, 50, 132, 201, 210, 215, 262*n*, 263, 401, 411, 442, *see also* Lutherans
- Giacarelli, Anselmo, Bolognese printer 500
- Giacomelli, Cosmo, brother of Giacomo and personal physician to the Pope 193*n*
- Giacomo, Bishop of Belcastro 15, 26, 50*n*, 51, 59, 62, 64, 69, 73, 76, 104, 105*n*, 131, 141, 156, 163, 193, 194*n*, 226*n*, 228, 237, 242, 284*n*, 293*n*, 304, 325, 421*n*, 422, 435
- Giberti, Gian Matteo, Bishop of Verona, datary 417*n*, 470
- Gibraleone 337
- Giroldi, G. B., lord of Segunzano 466*n*
- Giuliani, C. 466*n*
- Giunti, bank of, in Venice 476f

# INDEX

- Gonteri, Anfred, OFM 251  
 Gonzaga, Ercole, Cardinal of Mantua 62, 76, 194, 225*n*, 246*n*, 276*n*, 392, 453, 465*n*, 473, 489, 517*f*  
 — Ferrante, governor of Milan 412  
 Good works 167*f*, 169*n*, 170*f*, 176*f*, 180, 182, 185-90, 248*f*, 253, 255*f*, 258, 284*f*, 287, 292, 295*ff*, 457  
 Gozzadini, Giovanni, canonist 484  
 Grace 166-71, 177-82, 184, 186-90, 194*f*, 235, 243, 245, 247-61, 283-9, 297, 301*f*, 307*f*  
 Granada, War of 281  
 Granvella, Antoine Perrenot de, Bishop of Arras, son of Nicolas 14  
 — Nicolas Perrenot de, minister of Charles V 14, 137*n*, 203*ff*, 213, 226*n*, 236*n*, 237, 313, 403*n*, 404*n*, 405*f*  
 Grassi, Achille de', advocate of the consistory and of the Council 22, 113, 225*n*, 226*n*, 227*f*, 230, 348*n*, 479  
 Grassis, Paris de, master of the ceremonies at the opening of the Fifth Lateran Council 444*n*, 458*n*  
 Gratian 79  
 Grechetto *see* Zanettini, Dionisio de  
 Gregorian University, Archives of 503, 515  
 Gregory XIII 348*n*, 510, *see also* Buoncompagni, Ugo  
 — of Nyssa, St 471  
 Grimani, Giovanni, Patriarch of Aquileia 28*n*, 181  
 — Marino, Cardinal 43, 393*n*  
 Gropper, Johann, of Cologne, theologian 100*n*, 168, 172, 200, 247, 254, 257*f*  
 Guaino, Sylvester de, familiar of Cervini 419  
 Gualteruzzi, Carlo, humanist 32*n*, 43*n*, 129*n*, 226*n*  
 Guarino (da Verona), humanist 453  
 Guevara, Marina de, mother of Pachecho 139*n*  
 Guiche, Claude de la, Bishop of Agde and later of Mirepoix 16, 364, 426*n*, 429, 430*n*, 432, 436, 464, 488  
 Guidiccioni, Alessandro, nuncio in France 17, 182, 183*n*, 184  
 — Bartolomeo, Cardinal 43, 338  
 Guînes, Peace of (7 June 1546) 197
- Habsburg, house of 90, 197, 396, 398, 402  
 Hagen, Johann Ludwig von, Archbishop of Trier 20, 114  
 Hales, Alexander of 378  
 Hall, "capitulation" of 411*n*  
 Harnack, Adolf von 310, 311*n*  
 Hefele, K. Joseph 522  
 Heilbronn 404*n*  
 Holding, Michael, auxiliary of Mainz 15, 36, 199, 483
- Henning, Matthew 179*n*  
 Henry II, King of France 413  
 — III, Emperor 397  
 — VIII, King of England 50, 262*n*, 279, 305, 372, 399*ff*, 413, 453  
 — Duke of Lüneburg 314*n*  
 Heredia, Balthazar, OP, Bishop of Bosa, 142*n*, 144*n*, 148, 151*n*, 184, 264*n*, 293*n*, 294, 306, 344*n*, 345*n*, 354, 382*n*, 387, 394, 423*n*, 433, 436  
 Heresbach, Konrad 209*n*  
 Hermits of St Augustine, General of 121, *see also* Favaroni, Agostino; Viterbo, Egidio of  
 Herrera, Alfonso de, Spanish theologian, secular priest 134, 244, 254*n*, 257  
 Hervet, Gentian, French theologian 249*n*, 255, 257, 468*n*, 471*f*  
 Hesse 201, 207, 401*n*  
 — Philip of *see* Philip, Landgrave of Hesse  
 Heusenstamm, Sebastian von, Archbishop of Mainz 199  
 Hilary of Poitiers, St 245, 471  
 Hinderbach, Prince-Bishop of Trent 1465-86 473  
 Hochstraten, Jacob, OP 144, 168*n*  
 Hoffmeister, Johannes, Provincial of Hermits of St Augustine, Catholic collocutor 169*n*, 199, 259  
 Hohenstaufen, house of 397  
 Holcot, Robert, OP, author of commentary on the *Sentences* 167  
 Holy Order, sacrament of 372, 376, 389, 391, 415, 495, *see also* Ordination  
 Homer 470  
 Hope 185*f*, 188, 190, 241, 243, 292, 297, 306*f*  
 Hörmann, agent of Fugger 213  
 Hosius, Bishop of Córdoba 116  
 Hostiensis (Henricus de Segusio) 474  
 Huesca, Bishop of *see* Agostino, Pedro  
 Hugolin of Oriveto, OESA 258*n*  
 Humanism 47, 99*f*, 104*f*, 117*f*, 122*f*, 458, 468-75  
 Hungary, Anne of *see* Anne  
 — Maria of *see* Maria  
 Hus, John 9, 373*n*, 377  
 Hutten, Maurice von, Bishop of Eichstätt 198*n*, 199, 209
- Idiáquez councillor of Charles V 14  
 Ignatius of Loyola, St 175*n*, 371*n*  
 Immaculate Conception 139*f*, 151*n*, 152, 155-9, 161*n*, 162, 492  
 Indulgences 108, 129*f*, 163, 234, 315, 447  
 Ingenwinckel, Johann 336*n*  
 Ingoldstadt 261  
 Innocent I 142*n*  
 — III 355  
 — VIII 319*f*

# INDEX

- Innsbruck 212f, 217  
 Inquisition 48, 65n, 102, 107, 117, 279, 454, 456, 458  
*Institutiones apostolicae* (Nogarola) 62  
 Irenaeus, St 471  
 Isernia, Bishop of (Antonius de Numaiis) 421n, 423n  
*Istoria del Concilio Tridentino* (Paolo Sarpi) 7  
 Italians at the Council 17, 34, 39f, 222, 278, 437, 440  
*Ius Divinum* 321, 326ff, 336f, 343, 358, 485  
 Ivrea, Bishop of *see* Ferreri, Filiberto
- Jacobazzi, Domenico, Cardinal 475, 484  
 Jacobi, Claudius, of Genoa 419f  
 Jacobites 55, 65f, 136, 142n  
 James, St 185, 296f  
 Jajus, Claudius, SJ *see* Lejay  
 Jena 371n  
 Jerome, St 56f, 67, 74, 84, 95, 445  
 Joachim II of Brandenburg 198n  
 John XXIII 23  
 — III, King of Portugal 15, 36, 111, 314, 436  
 — Frederick, Elector of Saxony 204, 207n, 209n, 210n, 398, 402  
 Jonas, Justus, protestant theologian 207  
 Jordanis, Johannes Baptista de 218n  
 Joseph II, Emperor 473n  
 Julius II (Guiliano della Rovere) 264  
 — III (Giovanni Maria del Monte q.v.) 108n, 442  
 Jurists, crown, of Spain 424-7, 438, 517  
 Justice of Christ, application of the 249, 253-8, 260, 284, 286f  
 — — — imputation of the 168, 194, 241, 243, 245, 253ff, 258, 261, 279, 292  
 Justice, Twofold (*Duplex iustitia*) 168, 243, 245, 247ff, 253, 254n, 255ff, 284, 286, 290, 308, 485  
 Justification 35, 60, 63, 127, 132, 144f, 149, 162, 164-96, 200, 220ff, 228, 234, 238-62, 265, 267f, 271f, 274, 277ff, 282-316, 334, 340, 343, 346, 359, 370, 372, 374f, 390, 408f, 415, 441, 487, 491, 493f, 506, 512, 519f
- Karlstadt, Andreas Bodenstein, protestant theologian 190  
 Kauf, Theoderich, proctor of the Archbishop of Mainz 20  
 "King's Book", The (1543) 401  
 Kirsch, Johann Peter 522  
 Kuttner, Stephan 499
- La Cava, Bishop of *see* Sanfelice, Tommaso  
 Lagomarsino, Girolamo, SJ 521
- Lainez, James (Diego) SJ, papal theologian 134, 242, 244f, 254n, 256f, 370, 371n, 378, 383, 434  
 Lamb, Hieronymus, advocate of Frankfurt 210  
 Lanciano, Bishop of *see* Salazar, Johannes de  
 Landsberg 218  
 Langenstein, Heinrich von 474  
 Laon, Anselm of 251  
 Lateran Councils: Third (1179) 352  
 — Fourth (1215) 100n, 104, 109, 123, 240  
 — Fifth (1512-17) 10, 11f, 40, 81, 85, 101, 301, 310, 318n, 321n, 322, 341, 346, 352, 355, 358, 444n, 453, 475, 497  
 Lattanzio, sub-deacon 479  
 Lauingen 404  
 Laureus, Marcus OP 160n, 161, 175n, 176f, 184n, 189, 460n  
 Lautrec, French field-marshal 417n  
 Lavisio 220  
 Leclercq, Dom Henri 522  
 Lefèvre d'Etaples, Jacques 67, 471  
 Legates, College of 31f, 50, 80, 86, 97  
 — powers of, authority of 11, 35, 37, 44f, 224, 485  
 — policy of, proposals of 33f, 37, 300, 355, 422, 487-90  
 — rights of (to make proposals) 115ff, 125, 163  
 Leipzig, Disputation of 190  
 Lejay, Claude, SJ (Claudius Jajus), theologian, proctor of the Archbishop of Augsburg 19n, 20, 59, 62, 76, 88, 134, 143, 371n, 378, 382, 483  
 Le Mans, Richard of, OMinConv, theologian 54n, 60, 67, 70, 175n, 177, 242, 245, 251, 256f, 375, 378  
 Leo the Great 142n  
 — X 265, 337, 355  
 XIII 522  
 Léon, Ponce de, imperial councillor 234n  
 Leone, Evasio, OCarm 498  
 — Vincent de, OCarm 175n, 245, 257  
 Leonicus, Nicholas 417n  
 Le Plat, Jodocus 458n, 460n, 462n, 514, 521  
 Lerins, Vincent of 75  
 Lesina, Bishop of (Balthasar Monachus, OESA) 266  
 Lettere, Bishop of *see* Pantusa, John Anthony  
 Le Vassor (Michel) 521  
 Libraries *see* Barberini, Escorial, Palatina, Tournai, Trent, Vatican  
 Ligneris, Jacobus de, French envoy 183  
 Lippomani, Luigi, coadjutor of Bishop of Verona 90, 121, 150, 173, 221n, 246, 286, 293n, 294, 297, 325f, 332, 354, 366, 385, 434, 436

- Liturgy 287, 306, 385, 389, 444-52, 485  
*Loci Communes* 1547 (Hoffmeister) 169n  
 — — 1521 (Melanchthon) 100n, 167, 371, 377  
*Loci theologici* 1563 (Cano) 125  
 Loffredo, Enrico, Bishop of Capaccio 26f, 30n, 34, 37ff, 65, 92, 108, 112, 163, 264n, 327, 334, 344n, 351n, 354, 356, 392n, 416, 419n, 420, 438, 474n, 514  
 Lombard, Peter 67, 89, 100n, 104, 151, 167, 251, 376  
 Lombardellus, Hieronymus, OMinConv, theologian 54n  
 Loofs, Friedrich 307, 309  
 Lorenzini, Antonio, master of the household of Cervini 48, 508  
 Louvain, University of 9, 176, 274f, 289, 300  
 — censure of the Antididagma (3rd) 257n  
 Low Countries (Netherlands) 161, 203, 402  
 Loyr, Adrian, proctor of the Bishop of Cambrai 513  
 Lucca 208, 226ff, 230ff, 262  
 — translation of Council to 226f, 230ff  
 Lucera, Bishop of *see* Mignanelli, Fabio  
 Luciano, Abbot *see* Ottoni, Luciano degli  
 Lüneburg, Duke of *see* Henry  
 Lunello, Vincento, OFM, General of the Franciscan Observants (d. 13 Feb. 1549) 61, 72n, 256f, 474n, 518  
 Luther Martin 40, 56, 58, 64, 67, 83, 108n, 143-7, 149, 153, 162, 166-71, 173, 178n, 179ff, 186f, 189ff, 195, 207f, 235, 245f, 248, 250f, 257n, 258, 279, 291, 307, 371f, 376, 380, 383, 390, 463f, 473n, 493  
 — Disputations of 370f  
 Lutherans, Lutheranism 14n, 27n, 28f, 75, 117, 134, 181, 193, 212, 218, 235, 243, 246f, 253, 258, 285, 288ff, 295, 297, 345n, 347, 355, 382, 389, 468, 487, 493, 513, 519  
 Lympus, Balthasar, OCarm, Bishop of Porto 293n, 294ff, 337, 338n, 341, 344n, 354, 380, 382n, 383f, 422n, 426n, 432, 434n, 436  
 Lyons, Council of, second (1274) 353, 355  
 Maastricht 202  
 Madruzzo, Aliprando, brother of Cristoforo 424, 439n, 440, 465  
 — Cristoforo, Prince-Bishop of Trent 17f, 21, 24, 27f, 30ff, 34, 37f, 41, 46, 53ff, 62, 65n, 71, 76, 77n, 78, 81, 83, 84n, 85f, 93f, 110ff, 114, 138, 161, 183n, 212ff, 216f, 218n, 219f, 221n, 223ff, 226n, 227-30, 232, 234, 261, 264, 273, 276, 282, 300, 305n, 340, Madruzzo, Cristoforo:  
 360n, 368, 404n, 409, 413n, 417n, 418, 424, 426, 435, 440, 447n, 448f, 451, 453f, 457, 464f, 467, 474, 476, 478n, 487, 488n, 497, 503, 507f, 510, 513f, 517  
 — Niccolò, brother of Cristoforo, colonel in the imperial army, *custos* of the Council 18, 448  
 Maffeo, Bernardino, private secretary to the Pope 32n, 34, 39n, 44, 66, 70n, 95, 114, 129, 131n, 214f, 228, 229n, 230f, 236, 238, 239n, 264n, 268n, 270, 271n, 276n, 280n, 299n, 300n, 301n, 303f, 312n, 358, 410n, 413n, 438, 441, 472, 478, 489, 511, 516  
 Mafeotti, Andrea, OServ 419  
 Magliabecchiana of Florence, MS in possession of 515  
 Magnani, Giulio, OMinConv 245  
 Mainz 199, 207  
 — Archbishop of *see* Albrecht von Brandenburg, Cardinal; Heusenstamm, Sebastian von  
 — — — proctor of 207  
 — auxiliary of *see* Holding, Michael  
 — cathedral chapter of 368  
 Major, George, protestant theologian 198n, 199, 201, 314n  
 Majorano, Nicolò, familiar of Cervini 97  
 Malafossa, Jacobinus, OMinConv, professor of Scottist theology at Padua 251  
 Mallorca, Bishop of *see* Campeggio, Gianbattista  
 Malpaga, Giorgio, notary in Trent 474  
 Malvenda, Pedro, OSB, catholic collocutor, imperial chaplain 168n, 199f  
 Manelli, Antonio, Cervini's treasurer, conciliar treasurer 18, 445n, 446, 476n, 477, 478n, 480, 507f, 515  
 Manichaeans 153, 246  
 Mantua 225n  
 — Cardinal of *see* Gonzaga, Ercole  
 — Council of 43n, 90, 231, 504  
 Manuzio, Paolo, Venetian printer 97, 501  
 Marcello, Cristoforo 265  
 Maria, Queen of Hungary 203, 399n  
 Marianus of Feltre, OESA 254f, 374n  
 Marinarius, Antonius, OCarm 61, 93, 454ff, 458, 461f, 518  
 Marquilles, Jacobus, jurist 475  
 Marquina, Pedro, imperial agent, secretary of Spanish embassy 13f, 213, 262, 312n  
 Martelli, Braccio, Bishop of Fiesole 23, 26f, 30n, 34, 38f, 54, 66, 92, 107, 110n, 112f, 116f, 121n, 122, 144n, 151f, 163, 181, 195, 246n, 302n, 324, 326, 344n, 347f, 354, 362-5, 375n, 379n, 391, 394, 422n, 424n, 434n, 436, 450, 485ff  
 Martin V 385n

# INDEX

- Martirano, Coriolano, Bishop of San Marco 24*n*, 25, 34, 36, 69*f*, 163, 173, 195*n*, 264*n*, 306, 353, 382*n*, 392*n*, 393*ff*, 422*n*, 433, 436, 460*n*, 469, 497
- Marriage of priests 28, 78*n*
- Massarelli, Angelo, secretary to Cervini, secretary to the Council, (Bishop of Telesse in 1557) 15*n*, 16*n*, 17*n*, 19*n*, 24*n*, 25, 27*f*, 29*n*, 30*n*, 32*n*, 36*n*, 38*n*, 45, 47*n*, 48, 53*n*, 54*n*, 55, 56*n*, 57, 61, 64*n*, 70*n*, 72, 79-82, 83*n*, 93, 104, 105*n*, 110*n*, 114*n*, 117, 135, 146, 150, 154*n*, 157, 160*n*, 163, 175*n*, 176, 181, 184*n*, 193*n*, 195, 208, 218*n*, 221*n*, 224, 239*n*, 241*f*, 244*n*, 248*n*, 254*n*, 260*f*, 276*n*, 286, 290*f*, 293, 298, 338*n*, 344*n*, 345*n*, 349*f*, 351*n*, 374*n*, 375, 378, 379*n*, 384*n*, 386, 392*n*, 415*n*, 417*n*, 423*n*, 426*n*, 430*n*, 433, 434*n*, 445, 447*n*, 448, 451*n*, 452, 456*n*, 465*f*, 470, 472, 479*f*, 483*f*, 496-513, 515, 520
- Benedetto, uncle of Angelo 496
- Matarello (nr Trent) 219
- Matera, Archbishop of *see* Saraceni, Giovanni Michele
- Matrimony, sacrament of 372, 391, 415
- Maurice, Duke of Saxony, Elector 159, 204*f*, 398
- Maximilian I, Emperor 453
- Mazochi, Lorenzo (Laurentius de Castelfranco), OServ 60, 177, 181, 244*n*, 249*n*, 252, 254*n*, 255, 385, 419, 455
- Mazzoleni 515
- Medici 464, 470
- Melanchthon, Philip 28, 83, 100*n*, 145, 148, 167, 199, 209*n*, 211*n*, 212*f*, 313*ff*, 371, 377
- Melchiorre, Giovanni Maria 466*n*
- Melopotamos, Bishop of *see* Zanettini, Dionisio de
- Melos (Milos) Bishop of (Gregorio Castagnola OP) 163, 173, 266, 421*n*, 478, 481*n*
- Mendicant orders 101*f*, 105-10, 112*f*, 116-23, 128, 130*f*, 134, 149, 163, 172*n*, 180, 270, 374*n*, 375, 379, 452, 454*f*, 478, 482, *see also* Orders, Generals of
- Mendoza, Diego de, imperial ambassador 11, 49, 137, 149, 159, 165, 215*n*, 221*n*, 226*n*, 229, 244, 245*n*, 262*f*, 264*n*, 265, 268, 273-7, 280*f*, 282*n*, 299, 314, 335, 404, 408*f*, 466, 468*f*, 472, 474, 476, 490*n*, 491, 517
- Francisco de, Cardinal of Coria 229*n*, 262*n*, 263, 407
- Juan de, brother of Diego, imperial ambassador 262*f*, 404*f*, 408, 412
- Mengozzi, Ludovico, steward of Del Monte 480*n*
- Merbel, Peter 42*n*
- Merit 169*ff*, 177, 179, 185*f*, 189*f*, 194, 241, 243, 247, 249, 253, 255*ff*, 284*f*, 287*f*, 292, 295, 308, 457
- Merkle, Sebastian 498, 503, 505, 508*f*, 511-14, 518, 522
- Michel, A. 522
- Michelangelo, Buonarroti, a Pietà of 473
- "Guardarobba" of Del Monte 515
- Mieres, Thomas, jurist 475
- Mignanelli, Fabio, Bishop of Lucera 119, 160*n*, 236*f*, 238*n*, 467, 478
- Milan 402
- Duchy of 321
- Milevum, Council of (AD 416) 142*n*, 241
- Minori, Bishop of *see* Catharinus, Ambrosius
- Miranda, Bartolomeo de *see* Carranza
- Mirandola, G. F. della 453
- Mirepoix, Bishop of *see* Guiche, Claude de la
- Mirtius, Petrus, of Udine, priest 452
- Missal 69
- Mohammed 453
- Modus concionandi* 1539 (Contarini) 108*n*
- Moncalvi, Giovanni Battista, OMinConv 245, 254*n*
- Moniglia, Clement Dolero de, Franciscan Observant 455
- Monte, Antonio del, Cardinal 46, 444*n*
- Giovanni Maria del, Cardinal-bishop of Palestrina, legate, President of the Council 15, 16*n*, 19, 22*f*, 29-32, 36*n*, 37*ff*, 43*n*, 44*n*, 45*n*, 46*ff*, 50*n*, 53-6, 59, 61, 64, 66, 70, 73, 78*ff*, 82-7, 94, 105*n*, 106, 108, 110*n*, 111-13, 114*n*, 115*n*, 116*f*, 119, 122, 133, 137, 141*f*, 152, 154, 156, 158, 174, 181, 192, 216, 217*n*, 220-5, 228, 232, 234*f*, 238, 239*n*, 257, 264*n*, 267, 269, 278*f*, 280*n*, 283, 285, 288, 298, 303, 305*n*, 306, 310*n*, 311, 315, 318*n*, 323*f*, 327, 329, 334, 337-49, 351*n*, 355*ff*, 361*f*, 364*f*, 414-17, 420, 422, 425*ff*, 431, 435, 438-41, 446, 448-52, 455, 457, 465*f*, 468, 476, 477*n*, 480, 486*f*, 489, 500, 504, 508-11, 514, 516
- Montemerlo, secretary to Cardinal Farnese 225*n*, 226, 228
- Montesa, Fernando, secretary to Diego de Mendoza 469
- Moreschini, Agostino, OESA 259
- Morilla (Moriglia), Juan, Spanish secular priest, theologian, Cardinal Pole's chaplain 61, 134-7, 254*n*
- Morone, Giovanni, Cardinal 43, 47*n*, 48, 131, 181, 215*n*, 229, 279*n*, 280*n*, 298, 312, 359, 424*n*, 473*n*
- Mortier, French ambassador in Rome 402*n*
- Motula, Bishop of (Angelus Paschalis, OP) 27, 34, 50*n*, 63, 70, 76*f*, 103, 139*n*, 142*n*, 144*n*, 146, 157, 173*n*, 293*n*, 294, 384*n*, 421*n*, 478

# INDEX

- Mula, Marco da, Cardinal 98, 501  
Mundt, English agent 206  
Murad, Sultan 453  
Muratore, Giovanni, artisan of Trent 481n  
Music 447f, 451  
Musso, Cornelio, OMinConv, Bishop of Bitonto 29, 30n, 34, 50n, 54, 70, 78, 88f, 94, 105n, 112, 119, 122, 131, 132n, 143, 146f, 153n, 156, 173n, 185f, 192ff, 199n, 242, 248, 251, 268, 283, 285, 291, 293n, 294ff, 324n, 326, 353ff, 387f, 421n, 448f, 452, 456n, 459, 466n, 478, 485
- Nacchianti, Giacomo, OP, Bishop of Chioggia 30n, 34, 54, 61n, 64ff, 74f, 86f, 93, 392n, 477f, 485, 486n, 515, 518  
Naples, kingdom of 11, 14, 24n, 149, 337, 516  
— viceroy of 412  
Neapolitans at the Council 137, 192, 234n, 265  
Narni, Bishop of (Petrus Donatus Cesi), coadjutor 392  
Nasi, Francesco & Co, bank 477n  
National Councils 203, 313, 337, 408, 410f  
Naumburg, Bishop of *see* Pflug, Julius  
Nausea, Frederick, Bishop of Vienna 100n, 322n  
Navarra, Andreas, secular priest 244n, 254n, 256, 377  
— Francisco de, OESA, Bishop of Badajoz 26f, 38f, 64, 86, 92, 106, 112, 221, 234, 264n, 301, 307, 323, 325ff, 329, 337, 342, 344n, 345n, 347f, 354, 364f, 394, 422n, 424n, 426n, 428, 436, 446, 448ff, 469, 488, 494  
Naxos, Archbishop of (Sebastiano Lecavella de Chio, OP) 325, 434f, 449, 478  
Necrosius, Johannes, OP, proctor of the Archbishop of Mainz 20  
Netherlands *see* Low Countries  
Neuburg, on the Danube 212  
Newman, Henry, Cardinal 50  
New Testament 258, 377, 384n, 389, 458n  
Nicaea, Council of (I) 39, 240  
— — — (II: AD 787) 79  
Nicaeno-Constantinopolitan Creed 39  
Niedbruck 399n  
Nifo, Agostino 470  
Nobili, Benedetto de', Bishop of Accia 139n, 143, 146, 151, 156, 193, 208, 246, 293n, 324n, 327, 329f, 353, 382n, 384n, 434f, 477f, 515, 517  
Nogarola, Isotta, great aunt of Lodovico 453  
Nogarola, Leonardo, cousin of Lodovico 453  
— Lodovico, Count of Verona 62, 435, 452ff, 456n  
Nominalists, nominalism 167, 178n, 180  
Nördlingen 397  
Nuncios: in Germany *see* Verallo  
in France *see* Dandino  
in Venice *see* Giovanni della Casa  
Nuremberg, diet of 24n, 26
- Oecolampadius, Johann, protestant theologian 83, 471, 473n  
Oecumenicity of the Council *see* Title  
Old Testament 295, 377f, 384n, 389  
Oleastro, Hieronymus ab, OP (Jeronymo d'Azambuja), representative of the King of Portugal 15, 111, 180, 376, 454, 490n  
Opposition party 21, 27f, 34, 40f, 53f, 86, 91f, 97, 122, 228, 231, 237, 247, 263-7, 271f, 303, 307, 334, 336, 341f, 430, 432, 436f, 442, 487-90  
*Opusculum de iustificatione, gratia et meritis* 1546 (Andreas de Vega) 169  
Orange, Council of (AD 529) 142n, 241  
Ordination 129, 131, 317, 331f, 352, 360, 367, *see also* Holy Order, sacrament of  
Orders, Generals of Mendicant 19, 21, 25, 293n, 294, 296, 344, 346, 360n, 362, 430n, 474, 483, *see also* Asti, Bernardino d' (Capuchins); Audet, Nicholas (Carmelite); Bonuccio, Agostino (Servites); Cajetan, Thomas de Vio (Dominicans); Calvus, Johann (Franciscans Observant); Castiglione, Francesco Romeo di (Dominicans); Costacciaro, Bonaventura (Conventuals); Favaroni, Agostino (Hermits of St Augustine); Lunello, Vincenzo (Franciscans Observant); Seripando, Girolamo (Augustinians); Viterbo, Egidio of (Hermits of St Augustine); Volta, Gabriele della (Hermits of St Augustine)  
Origen 294  
Orleans, Duke of 197, 402  
Original Sin 35, 53, 63, 112, 127, 132-7, 139, 141-8, 150-9, 161ff, 167, 172f, 182, 184, 187, 240, 245, 258, 328, 370, 377, 491, 493f  
Osiander, Andreas, protestant theologian 67  
Otto, Cardinal of Augsburg *see* Truchsess von Waldburg, Otto  
Ottoni, Luciano degli, OSB, Abbot of Pomposa 28, 251, 284n, 288-92, 305n, 360n, 362n, 388n, 393n, 423n, 430n, 517



# INDEX

- Pacheco, Pedro, Cardinal, Bishop of Jaen 19, 27, 29, 31ff, 36n, 37f, 41, 51, 53ff, 59, 70n, 71f, 81, 83-6, 89, 93f, 102n, 103, 106f, 110, 112, 114-17, 119, 121, 133, 137-43, 149, 151n, 152, 155n, 156-9, 160n, 162, 164, 173ff, 184, 192, 195n, 212, 220n, 221-5, 226n, 229, 247f, 261, 264f, 273f, 276, 282, 288, 297, 300, 302f, 305, 310n, 320, 325, 327f, 336f, 339-43, 346, 348, 354f, 360f, 363f, 382n, 387, 392n, 393n, 399n, 409, 418, 419n, 420ff, 424-9, 430n, 431ff, 436, 440n, 447n, 449ff, 457, 465f, 484n, 488, 505, 517
- Padua 216, 218, 237f, 265, 266n, 280, 289
- Ambrose of, OESA 259
- Bishop-Elect of (Luigi Pisani, nephew of Francesco Pisani) 266
- Christopher of, procurator general of the Hermits of St Augustine 172n, 379n
- Gregory of, OESA 177, 180f, 255
- Pagni, Lorenzo 368n, 434n
- Pagninus, Santes, OP 67
- Paladio, Raphael de 419
- Palatina, library of 498
- Paleotti, Gabriel, Cardinal 501, 511
- Palermo, Archbishop of *see* Tagliavia, Petrus de
- Pallavicino, Pietro Sforza, SJ, Cardinal 440, 503, 518, 520f
- Palude, Peter de, OP 251
- Pandolfini, Florentine agent in Venice 32n, 36n, 39n, 49n, 50, 64n, 77n, 90n, 282n
- Panormitanus (Nicholas de Tudeschis) 474
- Pantusa, John Anthony, Bishop of Lettere 253
- Papacy, authority of, rights of 7, 22, 34, 42, 113, 117, 126, 130, 163, 269f, 333, 337, 347, 351, 353f, 356, 362-6, 408, 489, 494
- primacy of 8, 35, 113, 267, 327, 337, 428, 433, 489
- reform of 131, 132n, 212, 270, 327, 340
- Parenzo, Bishop of (Giovanni Campeggio) 266n, 423n
- Paris, Parlement of (1543) 68
- text of decree printed in 314f
- University of, Sorbonne 9f, 60, 72, 106, 168, 176, 199, 274f, 289, 300, 316, 375, 380
- Parisio, Pierpaolo, Cardinal 43, 348n
- Particular Congregations *see* "Classes" of the Council
- Passau, cathedral chapter of 368f
- Pastor, Ludwig von 411n, 442
- Pastorellus, Dominicus, OP, Bishop of Cagliari 152, 160n, 163
- Pate, Richard, Bishop of Worcester 55, 189f, 191n, 284n, 286, 302n, 325f
- Patritius, Augustinus 29
- Patti, Francesco de', OMinConv, theologian of Palermo 122, 150, 242, 454
- Paul, St, Pauline teaching 100, 145-8, 151, 162, 185f, 188, 252, 255, 285, 294f, 297, 308, 458f
- III (Alessandro Farnese) 9, 11, 14, 20, 22, 29, 31-5, 42, 48, 51, 64n, 65, 95, 98, 102f, 114f, 119f, 123, 126, 128-33, 138, 149, 160, 163, 174, 181, 191n, 192, 193n, 197f, 201f, 204-11, 213-16, 217n, 218ff, 221n, 224-30, 232f, 234n, 235-8, 258, 261-4, 266-71, 274f, 276n, 277f, 280, 298f, 301, 303f, 307, 312-16, 318, 320, 322, 324-9, 331, 333, 335-40, 342, 347, 350-4, 356-9, 363-6, 368n, 377, 381, 396-401, 402n, 403-15, 417n, 421n, 422n, 423ff, 426n, 427ff, 430n, 431ff, 434n, 435ff, 438n, 439-43, 445, 449f, 453, 459, 476, 481ff, 485ff, 489ff, 493, 495, 511, 516
- IV 130, *see also* Carafa, Gianpietro
- V (Camillo Borghese) 7, 510
- Pelagians, Pelagianism 153, 162, 166, 170, 179n, 180, 181n, 182, 241, 292, 307
- Pelagius 245
- Pelargus, Ambrosius, OP, proctor of the Archbishop of Trier 20, 114, 119, 182, 195, 242, 378, 479n, 483
- Pellegrini, Francesco 421
- Pellican, Konrad, protestant theologian 67
- Penance, sacrament of 171, 177, 180, 188, 194, 250ff, 289, 372, 377, 415
- Penitenzieria 332, 351n, 352
- Pérez de Ayala, Martin, knight of St James (author of Book on Traditions 1548) 125, 244, 254n, 320
- Pérez de Valencia, Jacopo, OESA 258n, 259
- Perfectus, Gregorius, OESA 454
- Perseverance, grace of 194, 308
- Pesaro, Bishop of *see* Simonetta, Ludovico
- Petreius 67
- Peutinger, Konrad 397
- Pflug, Julius, Bishop of Naumburg 199, 247
- Philip II, King of Spain 340
- Landgrave of Hesse 198n, 200, 202ff, 206f, 209n, 210, 213, 313, 398, 402
- the Chancellor 166
- Photius 469
- Piacenza, Bishop of (Cathalanus de Trivultius) 90, 173, 266, 392
- Piccolomini, Aeneas Silvius *see* Pius II
- Alessandro, Bishop of Pienza 62, 161, 189

- Pico della Mirandola, Giovanni Tommaso, papal nuncio 453
- Piedmont 402, 405
- Pighetti da Bergamo, Antonio, commissary 236, 419f, 479f
- Pighino, Sebastiano, Bishop of Alife, auditor of the Rota, promoter of the Council 17f, 24, 26, 31, 37, 54, 105n, 113, 266, 337, 341, 348n, 350, 353, 362ff, 381, 423, 435, 450, 453, 464, 479f, 500
- Pighius, Albert, theologian and imperial statesman, author of *Manual of Controversies* 100n, 145, 153, 162, 173, 247, 257n, 258
- Pinarolo, Antonio de, OMinConv 175n, 177
- Piombino 280
- Pisa, Council of (1511) 33, 46
- Pisani, Francesco, Cardinal of Venice 266
- Pisis, Alfonsus de 420
- Pistorius, Johannes 201
- Pittigliano, Rodulfus de 420
- Pius II (Aeneas Silvius Piccolomini) 321n, 322, 474
- IV 98, 130, 340, 489, 495, 501f, 510
- V 130, 502
- IX 502
- Plato 149, 468
- Plautus 470
- Pliny 472
- Pluralities, accumulation of benefices 131, 317-22, 325, 331, 333, 336, 339, 342f, 350, 352, 354f, 357ff, 365f
- Poggio, Bracciolini, humanist 79, 472
- Poland 72, 483
- King of 36
- Pole, Reginald, Cardinal 25ff, 31, 49f, 54f, 59, 64, 80, 86, 89, 105n, 108n, 110n, 113, 122, 149, 155n, 156, 158n, 172, 181, 189, 215n, 216, 229, 238, 254n, 260f, 279, 280n, 299n, 312, 348n, 359, 413, 446, 447n, 465-8, 470, 473, 497, 518
- Pomposa, Abbot of *see* Ottoni, Luciano degli
- Portugal, King of *see* John III
- Portuguese at the Council 16n, 25, 111, 480, 492, *see also* Oleastro, Hieronymus ab
- Porto, Bishop of *see* Lympus, Balthasar
- Prat, Guillaume du, Bishop of Clermont 16, 65, 160n, 266n, 331, 341, 344n, 381, 382n, 387, 421n, 429, 464, 488
- Pratanus, Laurentius *see* Prée
- Prati, Palazzo 387n
- Prée (Laurentius Pratanus) 19n, 21n, 38, 53n, 191n, 221n, 234n, 305n, 338n, 362n, 387n, 388n, 430n, 495f, 513f
- Preachers, Little Tractate on* (Nicholas Audet) 106n, 107
- Preachers, Mirror of* 108n
- Preaching, ministry of, decree on* 68-71, 73, 75f, 83, 88f, 100-10, 112f, 114n, 115, 117, 119-23, 141, 149, 153f, 163, 240, 323f, 487, 495
- Predestination 245, 286, 519
- President of the Council *see* Monte, Giovanni Maria del
- Priuli, Aluise 50, 80, 216, 279, 280n, 467f, 497, 505
- "Private council" of the Pope 43f
- Proctors of Bishops 20, 24n, 26, 43, 369, 392, *see also* Kauf, Theoderich; Lejay, Claude; Loyr, Adrian; Necrosius, Johannes; Pelargus, Ambrosius; Rhem, Wolfgang
- Programme of the Council 15, 21, 33, 73, 114, 125, 131ff, 138, 174f, 271, 492
- Protestantism, Protestant teaching 143f, 148, 201, 209, 210n, 225, 235, 241, 307, 309f, 374, 376, 380ff, 385f, 388, 398f, 474, 460, 462, 464, 494
- Protestants 7, 22, 31, 139f, 174, 176, 182, 198-207, 209-13, 214n, 216, 217n, 229, 231ff, 262n, 263, 268n, 271n, 272f, 279, 300, 312f, 315, 381, 385, 396, 398, 402, 408, 442, 453, 461, 463, 493, *see also* German protestants; Lutherans
- Pseudo-Dionysius 75
- Pullen, Robert 376
- Purgatory 257, 428, 494
- Queta, Antonio, jurist, envoy of Ferdinand I 183, 466, 491, 517
- Quiñonez, Francisco de, Cardinal 68
- Quintana, Juan, jurist of Spanish crown 282, 393n, 409, 419n, 424f, 456, 474f, 490n
- Radice, proctor of Madruzzo 457n
- Ranke, Leopold von 442, 521
- Ratio componendorum dissidiorum (Manual of Controversies)* 1545 (Albert Pighius) 100n
- Ratisbon 163n, 202, 208n, 209, 213, 219, 258
- *Book of* (Gropper and Bucer) 168, 200f
- cathedral chapter of 368f
- collocutors of 460
- colloquies at (1541 and 1546) 8, 133, 168ff, 198-201, 203f
- Diets of (1541 and 1546) 114, 138, 140, 143, 164, 198, 200
- electors and princes of 203
- Raverta, Ottaviano, Bishop of Terracina 266, 315, 393n
- Recusationsschrift* (The Rejection) 210
- Reform of the Church 9f, 30, 35, 42, 68f, 131f, 329, 366, 408, 442, *see also* Curia; Dogma and Reform; Papacy

# INDEX

- Reggio, Paul of, secretary to Massarelli 507
- Regibus, Gaspar a, OP (Gaspar dos Reis) 180, 252, 256, 374*n*, 375, 455*n*, 490*n*
- Renata, Duchess of Ferrara, sister to Francis I 231, 436
- Renato, Camillo 192*n*
- Repentance 186, 243, 289
- Reservations, Papal 119, 130, 163, 335
- Residence, Bishops' duty of, decree on 19*n*, 76, 102, 107, 109*ff*, 115, 120, 127*f*, 131*ff*, 138*f*, 141*f*, 153*f*, 164, 174, 220, 228, 238, 265, 267, 272, 277, 299-303, 311, 317-69, 409, 485, 487, 489, 493, 495, 519
- Impediments to 174, 220, 271, 277, 299, 320, 322, 326-30, 334-7, 348
- Rhem, Wolfgang Andrew, canon and provost of St Moritz, proctor of the Bishop of Augsburg 20, 25, 143
- Rhenanus, Beatus 42*n*
- Ricci, Giovanni, Cardinal 516
- P.F. 368*n*
- Richental, Ulrich, chronicler 444
- Ridolfi, Niccolò, Cardinal 181
- Rieti, Bishop of *see* Colonna, Mario
- Rimini, Gregory of, OESA 136, 146, 148, 258*n*
- Council of 463
- Ripa, (Lake Garda) 264
- Rocca Contracta, Aurelius of, OESA 177, 180*f*, 254*f*, 374*n*
- Rochlitz, battle of 398
- Roillard, Jean, *cursor* 480
- Rojas, Domínguez de, disciple of Carranza 463
- Romans, King of *see* Ferdinand I
- Rome 127, 132, 201, 207, 213*f*, 220, 472
- "Sack of" 214, 237
- Roselli, Antonio 474
- Rota 320, 333
- Roth, Wolfgang 208*n*
- Rothenburg 397
- Rovere, Francesco Maria della, Duke of Urbino 392
- Grossi della, Cardinal 264*n*
- Marco Vigerio della, Bishop of Sinigaglia 62, 64, 69*f*, 74, 82, 86, 105*n*, 133, 139*n*, 140, 144*n*, 148*f*, 160*n*, 164, 181, 183*n*, 186, 246*n*, 264*f*, 266*n*, 267, 284*n*, 286, 291*n*, 302*n*, 303, 306, 324*ff*, 328, 334, 341, 344*n*, 354, 363, 365, 382, 384*n*, 385, 394, 423, 429, 432, 485
- Roverella, Philos, Bishop of Ascoli 90, 151*n*, 195*n*, 266*n*, 325, 379*n*, 448
- Rovereto, on the River Po 219*f*, 221*n*, 226, 422
- Rufinus 100*n*
- Ruggieri, agent of Ferrara 49*n*, 312*n*, 410*n*, 434*n*
- Ruggiero, Tommaso, *cursor* 480
- Rullo, Donato 50
- Sabiensis, Nicolaus, printer 458*n*
- Sacred College, *see* Cardinals, College of
- Sacred Palace, Master of the *see* Spina, Bartolomeo a
- Sadoletto, Jacopo, Cardinal 43*n*, 79
- Salamanca, University of 242, 274, 293*n*, 294
- Salazar, Johannes de, Bishop of Lanciano 26, 34, 112, 146, 148, 156, 172*n*, 247, 264*n*, 265, 293*n*, 294, 307, 323*n*, 326, 344*n*, 347, 354, 365, 394, 422*n*, 433, 436, 449
- Salmeron, Alphonsus, SJ, papal theologian 134, 175*n*, 177, 242, 244*f*, 249*n*, 257, 284*n*, 370, 371*n*, 434*f*, 456*n*, 458, 461*n*, 462*f*
- Salpi, Bishop of *see* Stella, Tommaso
- Saluzzo, Bishop of *see* Archinto, Filippo
- Salzburg 199, 368
- cathedral chapter of 368*f*
- San Bernardino, Franciscan convent of *see* Trent
- Sancto Jacobo, Georgius a, OP (Jorge de Santiago) 376, 455, 456*n*, 459, 461, 462*n*, 463, 490*n*
- Sanfelice, Tommaso, Bishop of La Cava, papal conciliar commissary 17, 21, 34, 70, 85, 105*n*, 112, 118, 122, 137, 142, 161, 181, 189-92, 221*n*, 290, 447, 452, 464, 481, 485
- Sangiorgio, Giovanni Antonio, Cardinal 475
- San Lorenzo, Dominican convent of 242
- San Marcello, Prior of, OServ 171
- San Marco, Bishop of *see* Martirano, Coriolano
- San Michele, Antonio di, OFM 117
- San Porciano, Durandus de, OP 251
- S. Agatha dei Goti, Bishop of (Johannes de Chivara) 344*n*
- Santa Croce, Cardinal of *see* Cervini, Marcello
- Santa Fiora, Cardinal of *see* Sforza, Guido Ascanio
- Santa Salute, Abbot of 280*n*
- Saraceni, Giovanni Michele, Archbishop of Matera 54, 64, 78, 107, 142*n*, 153*n*, 160*n*, 183, 186, 220*n*, 222, 324*n*, 325, 337, 343, 344*n*, 350, 355, 360*n*, 363, 380, 421, 423, 434*n*, 435, 478, 507
- Sardica, Council of 116
- Sarpi, Paolo, OServ, historian 7*f*, 12, 61, 439*f*, 442, 486*n*, 502, 518-21
- Sarra, Pedro, Spanish secular priest, theologian 134, 175*n*, 254*n*, 255, 452
- Sassari, Archbishop of (Salvatore Alepo) 39, 64, 78, 82, 90, 121*n*, 144*n*, 163, 172*n*, 182, 286, 293*n*, 302*n*, 324*n*, 325*f*, 328, 344*n*, 353*ff*, 380, 382*n*, 422*n*, 433, 436, 449

# INDEX

- Sauli 368n  
 Savelli, Gianbattista, general of papal cavalry 219, 404n  
 Savona, 412  
 Savoy 13  
 Saxons 200, 204  
 Saxony 401n  
 — Elector of 199, 208, 213, 314, *see also* John Frederick; Maurice  
 — Ludolph of, OCart 321n  
 Schatzgeyer, Kaspar, OFM 144n, 168n  
 Schierse, Franz Josef, SJ 309  
 Schmalkalden, Articles of 167  
 — confederates of, league of 8, 14, 159, 202-05, 206n, 210n, 217f, 229, 305, 398ff, 401n, 404, 492  
 — Diet of (1546) 400  
 — War of 165, 196f, 214, 217, 261, 282, 304, 315, 396f, 399, 441f, 449, 479n, 488n, 490  
 Schnepf, Erhard, protestant theologian 199, 201  
 Scholasticism 75, 118f, 123, 134f, 139, 151, 162, 166f, 170, 178n, 179, *see also* Scotus; Aquinas  
 Schwäbisch Hall 405  
 Schweitzer, Vincent 522  
 Schwencker, Michael 210n  
 Scotland 399  
 — Regent of 37n  
 Scotus, Duns; Scotism 139, 166f, 185, 194f, 235, 243, 245, 247, 249n, 251f, 257, 285, 287-90, 292, 294, 296ff, 375, 388n  
 Scripture 53, 55-9, 62ff, 65n, 67ff, 71, 74, 82, 84, 91f, 109, 188, 205, 211, 255, 258, 285, 295, 323, 372, 378, 383, 463, 493f  
 — and Tradition 52, 67, 71, 73ff, 78f, 86, 89, 93f, 126, 244, 383, 485, 493  
 — lectureship in Holy 103f, 106, 109, 117-20, 121n, 123  
 Sebenico, Bishop of (Johannes Lucius Staphyleus) 266n, 307, 347, 478  
 Secretary of the Council 79f, 497ff, *see also* Massarelli  
 Seeberg, Reinhold 309  
 Seidemann 211n  
 Selve, Odet de, French ambassador in London 399n, 400, 402  
 Sens, Synod of (1528) 68  
 Sentences (Peter Lombard) 89, 100n, 104  
 Serapica, chamberlain of Leo X 336n, 337  
 Seripando, Girolamo, Cardinal, General of the Augustinians 16n, 17, 21n, 23, 26f, 29n, 30n, 37f, 42, 49, 54, 57, 60, 61n, 63, 69f, 73n, 74, 79, 85, 87, 97f, 100n, 103, 106n, 107, 118, 121f, 125n, 146f, 149, 152, 155f, 162, 174, 181, 187ff, 194n, 195f, 199n, 225, 239, 241ff, 246ff, 253ff, 258-61, 279, 280n, 283-7, 290, 291n, 292, 294, 296f, 309, 326, 360n, 362n, 370, 371n, 379n, 382f, 384n, 385n, 386, 388, 455n, 464, 470, 474n, 478, 479n, 485, 489, 496, 512f  
*Sermon on Good Works* 167  
 Servites, General of the *see* Bonuccio, Agostino  
 Sestino, Stephen, OESA 254f, 374n  
 Severoli, Africano, pro-Datary of Leo X 510  
 Severoli, Ercole, Promoter of the Council 16n, 17n, 19n, 21n, 24n, 27n, 29n, 30n, 31, 36n, 37, 38n, 39n, 50n, 51, 53n, 54, 55n, 56n, 64n, 79, 80n, 93, 110n, 113, 139n, 140, 142n, 144n, 151n, 153n, 155n, 160n, 164, 172n, 183n, 184n, 185n, 189, 190n, 191n, 195n, 212, 218n, 220n, 234n, 245n, 246n, 248n, 264n, 276, 283n, 288, 301, 302n, 305n, 311, 323n, 336n, 338n, 344n, 345n, 349n, 351n, 362n, 387n, 392n, 393n, 418, 421, 422n, 423n, 426n, 429-32, 457n, 496f, 509-13  
 — Giacomo, referendary of the Segnatura 510  
 — Giustiniano, inspector of the fortresses of the Papal States under Pius IV 510  
 Sfondrato, Francesco, Cardinal 36, 43f, 221n, 234n, 278, 280n, 400n, 413, 414n  
 Sforza, Guido Ascanio, Cardinal of Santa Fiora, Cardinal Camerlengo 171, 172n, 225n, 234n, 237, 238n, 271n, 273, 276n, 299n, 301n, 328n, 516  
 Siena 227f, 230f  
 — translation to 227, 230  
 — Archbishop of (Francesco Bandini) 90, 163, 189, 190n, 238, 449, 467, 507  
 — Augustine of, OCarm 374n, 375n  
 — Gregory of, OP 177, 180  
 — Ludovicus of, OCarm 454  
 — Sixtus of 459n  
 Sigismund, Emperor 444, 464  
 Simonetta, Ludovico, Cardinal, Bishop of Pesaro 50, 161, 163f, 222, 360n, 361, 384n, 423, 501  
 Sinigaglia, Bishop of *see* Rovere, Marco Vigerio della  
 Sirleto, Guglielmo, Cardinal, *scriptor* of Vatican library 49, 95, 97, 293n, 294, 415n, 471f, 496, 501, 505  
 Sistine Chapel, choristers of 451  
 "Six Articles", The (1539) 401  
 Sixtus IV 101, 139, 140n, 155, 157; constitutions of 157, 162f  
 — V 130  
 Sleidan, Johann 206  
 Soave, Pietro *see* Sarpi, Paulo

# INDEX

- Sola fide* theory 168, 169<sup>n</sup>, 170, 177<sup>f</sup>, 185, 188<sup>ff</sup>, 194, 241, 243, 245, 292, 295<sup>f</sup>, 306, 389
- Soliman the Great, Sultan 453
- Solis, Antonio, Spanish secular priest, theologian 134, 254<sup>n</sup>, 255, 376
- Somerset, Duke of 401
- Sora, Bishop of (Eliseus Theodinus de Arpino) 421<sup>n</sup>, 478
- Soranzo, Victor, Bishop of Bergamo 86, 90, 92
- Sorbonne *see* Paris, University of
- Soto, Domíngó, proctor of the General of the Dominicans, imperial theologian 21, 54, 93<sup>f</sup>, 106, 118<sup>f</sup>, 242, 248, 253, 264, 373<sup>n</sup>, 454, 456, 459<sup>f</sup>
- Soto, Pedro, imperial confessor 14, 200, 213, 214<sup>n</sup>, 404<sup>n</sup>
- Spain, Spaniards at the Council 10, 17, 34, 72, 75<sup>f</sup>, 89<sup>f</sup>, 116, 131, 134, 137, 141, 161, 191<sup>n</sup>, 192, 214, 221<sup>f</sup>, 265, 267, 288, 300, 393<sup>n</sup>, 488<sup>n</sup>, 450, 517, 519
- Spalato, Archbishop of *see* Cornaro, Andrea
- Speyer, Diet of (1544) 202
- Spina, Bartholomeo a, OP, Master of the Sacred Palace 171, 253, 261, 453, 458<sup>n</sup>
- Spiriti, Pompeo de' (Pompeius de Spiritibus), master of ceremonies 18, 420, 451, 479
- Stella, Tommaso, OP, Bishop of Salpi 50, 266, 284<sup>n</sup>, 293<sup>n</sup>, 294, 305<sup>f</sup>, 315, 392<sup>f</sup>, 421<sup>n</sup>, 478
- Strasbourg 210<sup>n</sup>, 304, 397, 401<sup>n</sup>, 411<sup>n</sup>, 412<sup>n</sup>
- theologians of 207, 210
- Steuchus, Augustinus, Vatican librarian 67
- Strossmayer, Bishop of Diakovár 503
- Strozzi, Pietro, Florentine refugee 402
- Sturm, Jacob, delegate of Strasbourg to the Estates 210<sup>n</sup>
- Johann of Strasbourg, pedagogue 206, 402, 412<sup>n</sup>
- Summa theologica* (Aquinas) 377; Cajetan's commentary on 321, 378
- Summarium* (Massarelli) 176, 178
- Suspension of Council 43, 115, 160, 215, 219, 222<sup>f</sup>, 231, 237, 268-78, 282, 298-301, 304, 334, 408, 423, 424<sup>n</sup>, 427<sup>ff</sup>, 438, 441, 487, 489<sup>f</sup>
- Synods, provincial 325, 336<sup>f</sup>, 341
- roman 268, 270, *see also* Sens
- Syracuse, Bishop of *see* Beccadelli, Jerome
- Gaspar of, OESA, theological adviser to the Bishop of Syracuse 147, 455
- Taborel, Nicholas, OCarm 254<sup>n</sup>, 256
- Tacitus 520
- Tagliavia, Petrus de, Archbishop of Palermo 26, 39, 54, 76, 224, 246, 387, 420, 422<sup>n</sup>, 436, 446, 448, 450, 464, 466
- Talavera, Paulus de 100<sup>n</sup>
- Tassi, Lorenzo de', postmaster of Trent 480
- Téllez Girón, Don Alonso, lord of La Puebla de Montalbán, father of Pedro Pachecho 139<sup>n</sup>
- Terracina, Bishop of *see* Raverta, Ottaviano
- Tertullian 459
- Theiner, Augustine, prefect of Vatican Archives 502<sup>f</sup>, 521
- Theodolis, Hieronymus de, Bishop of Cadiz 343, 422<sup>n</sup>, 423<sup>n</sup>, 426<sup>n</sup>, 428, 432
- Theodoret of Cyprus 47, 294, 471
- Theologians 15, 19, 21, 40, 54<sup>n</sup>, 56, 59<sup>ff</sup>, 67, 70, 121, 133<sup>ff</sup>, 137, 142<sup>f</sup>, 145, 153<sup>ff</sup>, 169, 171, 172<sup>n</sup>, 173, 175<sup>f</sup>, 178-82, 193<sup>f</sup>, 244-7, 249-60, 271<sup>n</sup>, 285, 287, 293, 309, 374<sup>ff</sup>, 378<sup>ff</sup>, 416, 473<sup>n</sup>, 483<sup>f</sup>, 493, 518
- Theophylact of Ochrida 294
- Thomas Aquinas, St; Thomism 100<sup>n</sup>, 145<sup>f</sup>, 148, 151, 166, 178<sup>n</sup>, 181, 185, 190, 243, 247, 261, 285, 287<sup>f</sup>, 292, 294, 296<sup>f</sup>, 321, 373<sup>n</sup>, 377<sup>f</sup>, 387, 444, 502
- Thou, Jacques Augustin de 502
- Timothy, Epistle of 201
- Title of Council (*universalem ecclesiam repraesentans*) 26<sup>f</sup>, 39<sup>f</sup>, 59, 65<sup>n</sup>, 92, 163, 210<sup>f</sup>, 263, 265, 267, 307, 346<sup>f</sup>, 394, 487, 489
- Tivoli, Bishop of (Marcus Antonius de Cruce) 266, 392<sup>n</sup>, 478
- Toledo 332
- twelfth Council of (AD 681) 142<sup>n</sup>
- Francisco de, imperial envoy 70, 81, 90, 93<sup>f</sup>, 110<sup>n</sup>, 111, 133, 137, 149, 159<sup>f</sup>, 165, 192, 263, 264<sup>n</sup>, 280, 282, 299, 313<sup>f</sup>, 404<sup>n</sup>, 407, 412, 449, 466, 490<sup>n</sup>, 491, 506, 517
- Archbishop of *see* Carranza, Bartolomeo de Miranda
- Tomasini, Clemente, OMinConv 257
- Tombesi, Ercole, deacon 479
- Torcelli, Bishop of (Hieronymus de Fuscariis) 148, 172<sup>n</sup>, 173, 360<sup>n</sup>, 392
- Torquemada, Juan de, OP, Cardinal 45, 267, 347
- Tournai, library of 514
- Tournon, François, Cardinal 401
- Tradition 58<sup>f</sup>, 61-4, 66, 126, 188, 471, *see also* Scripture and Tradition
- Translation of the Council 42<sup>n</sup>, 43, 160, 196, 215-19, 222, 224-37, 261<sup>ff</sup>, 268<sup>ff</sup>, 272-5, 280, 300<sup>f</sup>, 313, 334, 369, 408<sup>f</sup>, 414<sup>f</sup>, 417, 421<sup>n</sup>, 422-37,

# INDEX

- Translation of the Council:  
 439-43, 455, 469, 477, 484, 487, 489ff,  
 494f, *see also* Bologna, Ferrara, Lucca,  
 Siena  
*Trattato della giustificazione* 1544 (Cathar-  
 inus) 169  
 Trautmannsdorf, Wilhelm von, canon  
 368f  
 Traversari, Ambrogio 75  
 Trent, libraries in 281, 468f, 473ff, 514  
 — Palazzo Girolidi (Palazzo Prato) in 15  
 — praetor of 18, 421  
 — Prince-Bishop of 237, 273, 448, *see*  
*also* Cles, Bernhard; Hinderbach;  
 Madruzzo, Cristoforo  
 — San Bernardino, Franciscan convent  
 of, in 192, 447n, 508  
 — Santa Maria Maggiore, church of, in  
 420, 449  
 — St Peter, church of, in 420, 447f, 452  
 — San Vigilio, church of, in 90, 430n,  
 448  
 Treville 229  
 Treviso, Bishop-elect of (Giorgio Cor-  
 naro), nephew of Cardinal Pisani  
 226, 392  
 Trier, Archbishop of *see* Hagen, Johann  
 Ludwig von  
 — — — proctor of 479n, 483, *see also*  
 Pelargus  
 Truchsess, Otto, von Waldburg, Cardinal,  
 Bishop of Augsburg 20, 208, 214n,  
 218, 404n, 406, 483  
 — proctor of 20n, 25, *see also* Lejay,  
 Claude  
 Tübingen, jurists of 210n  
 — theologians of 207, 210  
 Tyrol 218
- Udine, John of, OP, prior of the convent  
 of San Lorenzo at Trent 177, 180,  
 244n  
 Ugoni, Matthias 49, 475, 484  
 Ulm 261, 304, 397, 400, 450  
 Ulrich, Duke of Württemberg 217, 304,  
 397  
 Universities 9f, 106, 109, 119, 152, 246,  
 275, 277, 482, *see also* Cologne,  
 Louvain, Paris, Salamanca, Tübin-  
 gen, Valladolid, Wittenberg  
 Upsala, Bishop of (Olaus Magnus) 55,  
 228, 360n, 365, 422n, 429, 477  
 Urbino, Duke of *see* Rovere, Francesco  
 Maria della  
 Urfé, Claude d', French ambassador  
 183, 430n  
 Usingen, Bartholomew, OESA 168n
- Vaison, Bishop of (Jacobus Coriesius)  
 144n, 172n, 186, 238, 324n, 421n,  
 435, 448
- Valla, Lorenzo, annotator of New Testa-  
 ment 67  
 Valladolid, University of 293n, 294  
 Vargas, Francisco, Spanish jurist and im-  
 perial envoy 282, 393n, 409, 419n,  
 424n, 521  
 Vatican Archives 498, 500, 502, 511, 516,  
 522  
 — Council (1869-70) 503, 522  
 — library 469, 471  
 Vega, Andreas de, OFM, theologian 47n,  
 49, 60, 169, 193, 249n, 251, 253,  
 455  
 — Juan de, imperial ambassador in Rome  
 32n, 129n, 158n, 226n, 229n, 230,  
 262, 281, 312, 407, 409, 410n, 412f,  
 517  
 Velasco, Martin, Spanish crown jurist  
 282, 393n, 409, 419n  
 Venice 39, 42n, 90, 107, 215n, 229, 231,  
 236, 264n, 274, 280f, 289, 402, 421,  
 492, 517  
 — Archives of 520  
 — nuncio in 18, 59, 236, *see also* Casa,  
 Giovanni della  
 — Patriarch of (Lorenzo Giustiniani) 28n  
 — text of decree printed at 315f  
 Verallo, Girolamo, papal nuncio to the  
 imperial court 13, 159, 199n, 200,  
 203n, 208n, 212n, 213f, 218, 226n,  
 228, 229n, 232f, 236n, 237, 299,  
 303n, 312n, 313, 397n, 403-06, 408,  
 411f, 413n, 430n, 435  
 Vercelli, Bishop of (Pietro Francisco  
 Ferreri) 195n, 392, 421n  
 Vergerio, Pier Paolo, Bishop of Capodis-  
 tria, nuncio 28, 465n  
 Verona, Bishop of 144n, 164, 284n, 355,  
 400, *see also* Giberti, Gian Matteo  
 — James of, priest, secretary to Massarelli  
 506f  
 Vida, Girolamo, Bishop of Alba, poet  
 and humanist 172n, 193n, 194, 225n,  
 227, 234, 246n, 329ff, 392n, 423,  
 467f, 470, 517  
 Vienne, Council of (1311) 240  
 Virgil 467n  
 Visconti 521  
 Visdomini, Francesco 175n  
 Visitation of dioceses and cathedral  
 chapters 322, 325, 343, 360, 367f  
 Vita, Francis, OCarm 374n  
 Vitelli, Vitellozzo, Cardinal 501  
 Vitello, Alessandro, captain of papal  
 infantry 219  
 Viterbo, Egidio of, General of the Her-  
 mits of St Augustine 149  
 Vitoria, Francisco de, OP 373n  
 Vitriarius, Ludovicus, OFM 256, 375  
 Vitruvius 470  
 Volano, Dominicus de 419  
 — Caterina de, wife of Dominicus 419f

# INDEX

- Volta, Gabriele della, OESA, General of the Hermits of St Augustine 149  
 Vorst, Peter van der, Bishop of Acqui, former nuncio for the Council of Mantua 90, 238  
 Vulgate; "Vulgate decree", revision of 71, 76f, 81, 83f, 89, 92-8, 263, 495
- Waldeck, Wolrad von, Count 198*n*, 201f  
 Wauchope, Robert, Archbishop of Armagh 37*n*, 55, 64, 119, 146, 193f, 228, 248, 293*n*, 294, 296f, 326, 363, 423*n*, 429, 434*n*, 437, 477, 478*n*, 486  
 Wied, Hermann von, Archbishop of Cologne, Elector 203, 205, 369, 371  
*Wider das Papsttum* (Luther) 207  
 Wimpina, Conrad, controversial theologian 168*n*  
 Wittenberg, Wittenbergers 94, 198*n*, 200, 207f, 210f, 371*n*  
 — memorial of 209*n*  
 Worcester, Bishop of *see* Pate, Richard
- Worms, Diet of (1545) 35f, 198, 210*n*  
 — Diet of (1546) 206  
 Württemberg, Duke of *see* Ulrich  
 Würzburg, cathedral chapter of 368  
 Wyclif, John 9, 67, 373*n*, 377, 380
- Xanthos, Bishop of 496  
 Xenophon 470, 520  
 Ximenes *see* Cisneros, Ximenes de
- Zaccaria, Francesco, SJ 521  
 Zanettini, Dionisio de, OFM (Grechetto), Bishop of Chironissa and Melopotamos 25*n*, 51, 84f, 175*n*, 181, 191ff, 195, 221*n*, 251, 293*n*, 294, 296, 303, 360*n*, 434*n*, 450, 456, 478, 487  
 Zelanti, party of the 364  
 Zoestius, Hermann 473*n*  
 Zurita, Jeronimo 282*n*, 430*n*, 468f  
 Zwingli, Ulrich 83, 143, 162, 307  
 Zwinglian articles 519

Printed in Great Britain  
 at the Aberdeen University Press

